

CINCINNATI ELECTION REFORM COMMISSION

FINAL REPORT

MARCH 10, 2004

Donald J. Mooney, Jr., Chairman

Jeff Berding	Bernadette Watson	Carl J. Stich, Jr.	Chris Bortz
Elijah Scott	John Marrone	Rick Witte	Art Slater
Bishop E. Lynn Brown	Sally Krisel	Thomas Brinkman, Jr.	Marilyn Ormsbee
<u>Mayoral</u> <u>Appointees</u>	<u>Democratic</u> <u>Appointees</u>	<u>Republican</u> <u>Appointees</u>	<u>Charter</u> <u>Appointees</u>

APPENDIX OF ATTACHMENTS

<u>Attachment</u>	<u>Description</u>
A	Resolution
B	List of Issues Voted On
C	Public Opinion Strategies Poll
D	Nine and Six Districts Maps
E	Craig Wheeland, Ph.D's Report and Power Point Presentation
F	Chart Showing Major Cities with Forms of Government
G	Proposed Charter Language regarding Mayor/Chief Administrative Officer

1. Overview

The Cincinnati Election Reform Commission includes representatives of Cincinnati's three political parties and appointees of Mayor Charles Luken. The Commission was asked to consider a number of election and structural reform proposals, including whether our City Council should be elected by Districts, whether Cincinnati should return to proportional representation voting for Council elections, and whether there should be changes with respect to the powers of the Mayor. (Resolution, Attachment A.)

Over the last fifteen years, Cincinnatians have voted on several changes to the way City officials are elected and City government is organized.¹ The most recent change was adopted in May 1999. For the first time since the creation of the Council/Manager form of government in the 1920's, Cincinnatians authorized the direct election of the Mayor. The directly-elected Mayor initiates the selection and removal of the City Manager. The City Council retained the power to approve the selection or removal of the City Manager. Under that system, the City Manager reports to both Council and the Mayor.

Another proposal that has been debated in Cincinnati over two decades, but which has never appeared on the ballot, is election of Council members by District. Since the creation of the Council/Manager form of government in the 1920's, Cincinnati City Council has consisted of nine Council members, elected at large, either by proportional representation, or since the mid-1950's by the current 9X system.

In undertaking its work, the Commission considered and studied proposals for enhancing the power of the Mayor, District elections for Council members, proportional representations, and other less significant changes. Each of our proposals had varying degrees of support as

¹ See Attachment B, List of Election Reform Issues on the Ballot and Outcomes.

noted below. Our proposals reflect the belief by many of us and among many members of the community that Cincinnati needs more accountable and effective governmental and political mechanisms to respond to the serious challenges our City faces.

Our Charter members have prepared a Minority Report which will either be attached to this Report or separately provided to Council. The Minority Report indicates the extent to which members of the Commission join in that Report.

2. The Purpose and Goals of the Commission

When we began our work, the Commission identified our mission, strategies and goals for evaluating proposals to make our election and governmental structures more effective for these times.

(a) Cincinnati Election Reform Commission Mission

The purpose of the Commission was to determine whether Cincinnati's current electoral system is serving the City well, and, if not, recommend a better system to City Council and the Public.

Possible Alternatives To Be Studied:

- Election of Council by District
- Election of Council by Proportional Representation
- Executive Mayor
- Other Alternatives or Combinations Proposed by the Public

(b) Cincinnati Election Reform Commission Strategies

- Conduct Public Hearings
- Solicit Public Input

- Consult Experts
- Evaluate Systems Used in Other Cities
- Examine Options Such as District Elections, Proportional Representation, Combined District and At-Large Systems, and Executive Mayor

(c) Factors To Consider In Deciding Whether An Election System Serves Cincinnati Well

- Accountability
- Representative/Inclusive
- Equitable
- Easily Understood
- Encourages Higher Voter Turnout
- Reduces the Dollars Required to Run a Campaign
- Ability of Voters to Make Informed Decisions
- Demands and Promotes Leadership by Elected Officials
- System Is Efficient and Effective
- Encourages Competition
- Encourage Regional Cooperation

3. The Commission's Effort to Seek Out Citizen Input and Expert Advice

During October and November 2003, the Commission conducted three public hearings at locations in Bond Hill, Westwood and Oakley for the purpose of soliciting citizen input. The hearings were broadly publicized and relatively well attended. The Commission hearings were telecast over City cable so as to further discussion in the community about the possibility of election and structural changes for the City. While there was no effort to scientifically measure input received at these public hearings, a slight majority of those in attendance appeared to favor

the election of Council members by Districts. But some citizens did express support for maintaining the at-large system for Council elections and proportional representation.

The Commission recognized that input received at public hearings would not necessarily represent the views of all our citizens. As a result, we commissioned a public opinion poll done by Public Opinion Strategies, a polling organization which has conducted public opinion polling in Cincinnati since 1993. A summary of the Public Opinion Strategies Poll, conducted January 13 and 14, 2004, is attached hereto as Attachment C. A separate section of this report discusses aspects of that poll many of us considered to be significant.

The City Council resolution creating the Commission asked that any recommendation calling for District elections include appropriate maps. To draw District maps, the Commission obtained the services of Mr. Bob Dykes of Triad Research in Cleveland, Ohio. Mr. Dykes is a recognized expert in legislative apportionment. We asked Mr. Dykes to prepare maps showing fifteen, nine and six Districts, which would preserve to the extent possible neighborhood boundaries, create relatively compact Districts, and comply with applicable federal law. During the course of this work, the Commission rejected outright a fifteen-district proposal. The Commission approved for Council's consideration two District maps: one showing nine Districts and one showing six Districts. These separate maps are attached hereto as Attachment D.

Finally, the Commission sought information on systems used by other comparable cities in America. We identified and obtained the services of Craig Wheeland, Ph.D., from Villanova University, a nationally recognized expert in local government structures. Dr. Wheeland prepared a report and supplemental report for us along with a Power Point presentation. Those items are attached hereto as Attachment E.

In order to obtain these professional services, the Commission, by resolution, solicited financial supports from a number of local business and civic organizations. The Cincinnati Business Committee and the Greater Cincinnati Chamber of Commerce have graciously assisted the Commission with the financial support needed to pay for these professional services.

4. A Summary of the Polling Information

The polling by Neil Newhouse showed that the political environment in Cincinnati is not a positive one. Voters overwhelmingly believe (by a margin of 63% to 28%) that the City is off on the wrong track. And two-thirds of voters believe the city is falling behind other similar communities. A strong majority (by a margin of 56% to 38%) believe that the current City Manager system does not work well. The sentiment for change runs across partisan, geographic and racial lines in the City. In fact, only 15% of self-described Charterites believe the current system could be kept as is. The hard part is determining what type of change a majority of citizens will support.

There is majority support for an executive mayor being in charge of city government with the support of a professional manager, citing a belief that the change would make the mayor more accountable to the voters and give him/her the authority to get things done.

On City Council election reforms, voters are more divided, but a majority do believe the current 9X system makes it difficult to hold individual members accountable. When presented with electoral options, 43% supported district systems and 33% supported continuing 9X. Regardless of their preference for districts, nearly two-thirds of voters do agree that district elections will increase accountability of individual City Council members to voters, and will give neighborhoods better representation because they will have their own Council member.

In short, the polling showed that the voters of Cincinnati are not satisfied with the current affairs of the City, desire change, and seem willing to support a strong Mayor and district election system for City Council.

5. A Summary of Dr. Wheeland's Report

Dr. Wheeland confirmed that the form of government impacts local government performance. The nature of the institution influences how elected officials will act. Ambiguity and conflict over responsibilities can result in officials not acting appropriately due to conflicting understandings of their roles.

Dr. Wheeland's report provides a nationwide perspective on the institutional features of U. S. city charters, particularly those with more than 250,000 residents. There are two principal forms of city government for larger U.S. cities:

The Council/Manager Form

In its traditional form, this system features a relatively small Council, elected at large, with a professional Manager appointed and removed by Council, in charge of the city administration. In this form, the Mayor is usually a member of Council, not directly elected. Dr. Wheeland describes this system as a "unification of powers" with Council exercising legislative powers and executive powers delegated to an appointed Manager. In cities with a population over 250,000, forty percent use the Council/Manager form or variations.

The Mayor/Council Form

This form follows the separation of powers concept used in the state and federal systems. The City Council holds legislative power and approves the annual budget. The Mayor exercises executive power, directing the city administration and choosing (and removing) department heads. In cities with a population over 250,000, sixty percent use the Mayor/Council system,

most frequently in conjunction with Councils elected by district, or by a mixed system of district and at-large Council members.

Dr. Wheeland's report lists the advantages and disadvantages of both systems. The national trend has been away from the traditional Council/Manager system in larger cities, with further empowerment of Mayors to enhance their ability to provide more focused political leadership. Attachment F shows the forms used in the largest American cities.

Cities such as Albuquerque, Oakland, and Philadelphia using the Mayor/Council form have enhanced professional leadership by creating a Chief Administrative Officer position to assist the elected Mayor.

Cincinnati is unusual among larger cities, with a Manager initially selected by a directly elected Mayor, but reporting both to Council and the Mayor. Dr. Wheeland notes that "giving the Mayor a general veto power in Council-Manager cities and the power to nominate the City Manager and initiate the Manager's removal creates rules that can make it difficult for the Mayor to lead Council and for the City Manager to respond to both the City Council and the Mayor when conflict is present." (Report, p. 15.)

Dr. Wheeland observed that our existing system is set-up to fail because the City Manager has to report to both a Mayor and nine Council members. This unusual Council/Manager system arose from compromises made in 1999, when the initial "Strong Mayor" initiative was proposed. Those compromises have caused the lack of institutional clarity that results in ten people claiming to be the Manager's boss and directing his/her activities. Throughout the nation, professional City Managers continue to provide professional city management in a strong mayor system as a Chief Administrative Officer (CAO) or Deputy Mayor. A CAO appointed by the Mayor could still be an ICMA credentialed manager, with a

graduate degree, experience in municipal government and a commitment to the ICMA code of ethics. Such a CAO would be required to have forty hours of continuing education per year in seventeen core competency areas.

6. Commission Recommendations

(a) Change to a Mayor/Council system, with the creation of a “Chief Administrative Officer” position

Dr. Wheeland identified three potential strategies for addressing the basic structure of our City government:

- (i) Maintain the status quo, hoping that citizens’ satisfaction with city government will improve with time.
- (ii) Return to a more traditional “Council/Manager” relationship between the Mayor, City Manager and Council, with the Mayor returning to City Council and having no greater reporting relationship with the City Manager than other members of Council.
- (iii) Further empowering the Mayor by adopting a more traditional Mayor/Council form of government, with professional management provided by a Chief Administrative Officer appointed and removed solely by the Mayor.

By a vote of 10-3, the Commission recommends this last alternative, shifting to a Mayor/Council form. The current system, with the City Manager reporting both to the Mayor and Council, is confusing, ineffective and inefficient. This structure not only frustrates efficient administration but fragments leadership. Citizens do not know on whose desk “the buck stops” when

contentious decisions are made. The present system has not helped the City cope with the variety of challenges we have faced in recent years.

For instance, we believe that an appointed City Manager as CEO has limited ability to bridge our City's racial divide. Leading a city involves more than directing staff, preparing budgets and monitoring contracts. Strong mayors can tackle tough issues through use of the bully pulpit, political capital and moral courage. A strong Mayor can speak to and for the people and provide critical solutions, roles an appointed Manager cannot fill. Dr. Wheeland cited Philadelphia as one example where then-Mayor Ed Rendell avoided racial conflict through strong political leadership to defuse a brewing crisis.

Citizens expect strong leadership from the Mayor. To provide that leadership, that office must have the authority that will allow him or her to perform to the expectations of the citizens. With the authority to take charge of the City administration through the appointment of a CAO and other key department heads, the Mayor will be fully accountable to the citizens, with real authority to make strategic decisions for the City that can then be carried out by the administration. The Mayor can be the true leader of the City, while Council members can concentrate more on constituent services in their neighborhoods, and passing laws and the budget as the legislative body of the City.

Our specific recommendations on this issue are summarized as follows:

1. The Mayor will be the Chief Executive Officer of the City.
2. The Mayor shall appoint and can remove without Council approval a CAO who would report to the Mayor. The CAO would have the type of professional credentials required of the City Manager under Section 1, Article IV of the current Charter (“shall be appointed solely on the basis of his or her executive and

administrative qualifications and need not, when appointed, be a resident of the City or State”). In essence, the CAO will be the Chief Administrative Officer of the City, with duties and responsibilities for the overall management of the City, under the direction of the Mayor.

3. The CAO will have those administrative duties assigned by the Mayor to assure the efficient operation of the City.
4. The Mayor will have the power to appoint, without Council approval, the Administrative Officers identified in Article IV, Sections 5, 6, 7, and 9 (City Solicitor, Director of Finance, Director of Public Utilities, Superintendent of Water Works), and other department heads and administrations currently appointed by the Manager.
5. The Mayor will continue to have the power to appoint members of the Boards and Commissions, but without Council “advice and consent.”
6. Mayor’s Legislative Role. The recommendation is that the Executive and Legislative roles be separated, with the Mayor responsible as an executive for the administration of the City with the assistance of the CAO, and the Council responsible for the legislative function. As a result, the Mayor would no longer chair Council meetings and appoint the chairs of Council committees. Instead, the City Council would organize itself, would name a President of Council, to preside at Council meetings, and a President Pro-Tem, to preside at Council meetings if the President of Council is unavailable.

7. Issues of Succession. There would no longer be a “Vice Mayor.” The CAO would have the powers and perform the duties of the Mayor during the Mayor’s absence or disability (the current role of the Vice Mayor).

“In the event of the death, removal or resignation of the Mayor,” a member of Council designated in advance by the Mayor (similar to Council designations of successor appointment) would become Mayor. There need be no change in the election procedures at Article III, Section 3, with respect to the timing the special election in the event of the death, removal or resignation of the Mayor.

8. Method of Election. We do not recommend any changes in the method of electing the Mayor. There should continue to be a four-year term, with a runoff “open” primary in September and a general election in November.

The Commission has prepared draft Charter language showing how the current provisions of the Charter with respect to the Mayor and City Manager would be changed. (Attachment G.) The Solicitor should be asked to develop a full proposal for Charter amendments to implement this recommendation.

Changes also would be required in the City Administrative Code. Any Charter amendment language could simply require a change in the current Administrative Code substituting the title “Mayor” for “City Manager.” Council would continue to have the power to amend the Administrative Code by a super-majority vote as allowed in the current Charter.

7. Council Elections

There was only a slight (7-6) majority in favor of changes in the manner in which Council is elected. We heard the following arguments during our public hearings and from a

number of other experts we consulted, including former Mayor Eugene Ruehlmann, former Council member and Governor Jack Gilligan, and former Council members Marian Spencer and Bobbie Sterne.

(a) Proportional Representation

Our Charter members organized a presentation supportive of returning to the proportional representation system for electing Council members which had been used in Cincinnati from the mid-1920's through the mid-1950's. Proportional representation allows voters to rank candidates for City Council from one to nine with "first place" votes receiving greater weight than "ninth place" votes. The major argument for proportional representation is that it allows smaller constituencies within a city's population to identify and elect a favorite candidate, even though that candidate might not have the support of the majority. Proportional representation was on the ballot in Cincinnati in 1988, 1991 and most recently in 1993, and was rejected each time.

By vote of 10-3, the Commission did not recommend reverting to proportional representation. The arguments made against proportional representation concerned the complicated and (for some) confusing methods for counting ballots in a proportional representation system. Our research indicated that proportional representation is utilized in only one city in the United States (Cambridge, MA). Further, the argument that proportional representation does a better job of assuring minority representation seemed to some of us to be no longer compelling in light of changes in population and voting patterns over the last ten years.

(b) The Current 9X System

Since the mid-1950's, our nine-member Council has been elected at large with the nine candidates receiving the most votes elected to Council. Advantages identified with respect to

this system include that Council members must campaign throughout the City and must build relatively broad coalitions crossing racial, neighborhood, and class lines, in order to assure their election. This requires successful candidates to show concern for all City neighborhoods and the overall health of the City. Critics of the 9X system come in many instances from neighborhoods that believe that they have routinely been underrepresented on Council. These critics point out that most Council members generally come from a relatively small number of City neighborhoods; for example, North Avondale, Mt. Lookout, and currently Bond Hill. In particular, some neighborhood leaders on the west side of the City contend that their neighborhoods have been under-represented on and disregarded by Council.

Other arguments made against the 9X system include the high cost of running for election citywide, which necessarily limits the number and types of candidates who can run. Further, some opponents of preserving the 9X system believe that successful at-large Council candidates sometimes ignore the concerns of constituents for better quality City services in their neighborhoods. With its large field of candidates, the 9X system allows a candidate to be elected to City Council with a small minority (approximately 33%) of the citywide vote. As a result, the 9X system does not easily allow voters to hold candidates accountable for their actions/inaction and does not allow clear electoral choices as a head to head race would permit. By a close vote of 6 for and 7 against, the Commission rejected preserving the 9X system.

(c) Election of Council Members by Districts

Proponents of District elections who appeared before our Commission argued that Council members elected from relatively small geographic areas would be more focused on improving the quality of the neighborhoods they represent. Neighborhood and constituency groups who believe they are not represented well by the 9X system express the view that District

elections would assure that their neighborhoods are better represented by Council members more accountable to the neighborhoods they represent.

Some of us believe that in a system with an executive Mayor and Council Districts, the Mayor could focus more on the overall best interests of the City. Council members could work with the Mayor and the City administration to make sure that services are properly delivered to their Districts. Such systems work effectively in many successful American cities with the type of racial diversity we enjoy in Cincinnati. In fact, if the City adopts a mayor/council form of government, we would be one of a very few large cities that elects Council at large unless we adopt some form of district elections.²

Those of us who supported the District plan believe that Cincinnati would be better served with Council members elected from neighborhood-based Districts. Many Cincinnatians currently live in poor and/or segregated neighborhoods (Districts). These communities contend they exercise little power in the current at-large Council election system. Powerlessness in poor and/or segregated neighborhoods results partly from the inability of residents of these neighborhoods to successfully elect candidates to council and hold them directly accountable.

Neighborhood-based districts allow similarly situated Cincinnatians of comparable social stature, economic means and political interests to bring together their collective power on Election Day – aggregating, organizing and leveraging their political interests – to define and determine their own political leadership and hold that leadership accountable with the ultimate electoral sanction, a direct vote. District elections would provide a logical entry point for citizens involvement in local government. A Cincinnatian who wants to serve his or her neighborhood and City should not be expected to compete City-wide and raise \$100,000 plus to

² Of all cities above 330,000 population, 21 elect Councils at large; 42 by District; and 37 have a Mixed District/At-Large system. (Dr. Wheeland's Supplemental Report.)

have a chance to win. This requirement makes for a terribly high barrier for local government participation.

Moreover, the financial costs of running for Council are exorbitant. According to the October 2002 report of Ohio Citizen Action, 26 candidates spent \$1.9 million during the 2001 Council campaign. The nine winning candidates spent an average of more than \$168,000 per candidate, or nearly 80% of total dollars raised. Incumbent candidates raised 3.7 times more than non-incumbents. The result can be Council members overly reliant on wealthy contributors and special interests, and largely immune from defeat due to the financial and name recognition advantages that are necessary in the at-large system.

Courts have consistently struck down government imposed campaign spending limits as unconstitutional. Serving as a form of *de facto* campaign finance reform, neighborhood-based Council Districts address this seemingly intractable problem in a practical manner.

Neighborhood-based Districts will drastically change the financial dynamics of Council campaigns. By reducing to a more manageable amount the number of residents that Council candidates must reach in a campaign - to around 37,000 for nine Districts - the financial threshold of campaign dollars needed to effectively compete for Council seats will be significantly lowered. Under the proposed form, Council candidates cannot justify to either their contributors or constituents a need for large expenditures for television and radio advertisements. Council campaigns would necessarily become more “grass-roots” oriented. Quality candidates in touch with voters could win election through hard work and grass-roots campaigning. Money would no longer be the most important factor.

As executive power in the Office of Mayor increases, legislative power should be fairly shared throughout each Cincinnati neighborhood. Consolidation of executive power and

dispersion of legislative power is wholly consistent with our republican form of government, and its separation of powers.

Opponents argued that Districts would necessarily “divide” or “balkanize” the City, pitting neighborhood against neighborhood. Some expressed the concern that downtown, which is a significant source of City revenue, would necessarily be ignored by a Council elected by Districts. But many believe that the current 9X system already balkanizes the City. It balkanizes the City where Council members support the political interests of those who helped them get elected. In our at-large system, those municipal interests may not be wholly based on geographic constituents, but relate to the demands of the interest groups or contributors providing the base of a member’s electoral support.

True, some neighborhoods believe they have been well-served by the current 9X system. That may be because those neighborhoods have long been well represented on Council. For example, from 1967 to 1997, 135 council seats were available. Of 135 council seats available, 81 (60%) were filled by residents of just four (8%) of Cincinnati’s 52 neighborhoods: Mt. Lookout, North Avondale, Westwood and Clifton.

During that same 30-year period, 32 (61%) of Cincinnati’s 52 neighborhoods did not have even one of their residents elected. This historic trend illustrates that the ability to be elected to council has been substantially concentrated or “balkanized” into only a few neighborhoods.

For these reasons, by a vote of 7 for and 6 against, the Commission recommends a system of electing nine Council members using nine Districts. We attach a map which we believe would be an appropriate method of dividing the City into Districts. (Attachment D.)

The District election system we recommend would include the following elements, subject to the drafting of specific Charter language with the help of the Solicitor:

- (i) Nine Districts. The District map should preserve to the best extent possible neighborhood boundaries, should be relatively compact, and must comply with federal court guidelines concerning standard deviations of population and racial balance. We believe the attached map complies with these legal requirements. (Attachment D.)
- (ii) Elections. Council elections would remain non-partisan, with a non-partisan primary in September every two years, on the same date in September used for the mayoral election every four years. The top two vote getters in the primary would face off in the general election in November in their District. This would assure each Council member wins at least fifty percent of the vote in the District.
- (iii) Petitions. There should be a downward adjustment in the number of signatures obtained necessary to qualify for the ballot, since Council candidates would not be running citywide.
- (iv) Apportionment. Every ten years, following issuance of census data, the nine-member Council would appoint a Reapportionment Commission, with each incumbent Council member allowed one appointment. The commission would have one hundred twenty days to recommend to Council a new District map for the City reflecting population changes. If the map was not adopted within thirty days by the City Council, the power

of redrawing the District boundaries would go to the Mayor, who would have sixty days to issue a map that would control in subsequent elections until the next decennial census. (A similar approach appears in the Cleveland Charter.)

- (v) Initial Districts. A majority of the Commission believes that the maps attached to this report would be fair and appropriate. However, if Council places a nine-District proposal on the ballot, it should consider whether or not the reapportionment procedure recommended above should be used to establish the first set of District boundaries. The disadvantage in such an approach (as opposed to simply including an initial map as part of the Charter amendment proposal) would be to delay for several months after a Charter amendment vote the establishment of District boundaries. Further, some citizens may be reluctant to vote for a Charter amendment proposal creating nine Districts without knowing exactly where the initial District boundaries would be.

(d) The 6 District/3 At-Large Alternative

Another proposal which the Commission considered, but did not support, was a “mixed” system, with six Council members elected by District and three Council members elected at large. Some have expressed the view that such a system might well provide a balance between better neighborhood representation while having at least some Council members focused on the City’s interest as a whole. As indicated in Dr. Wheeland’s report and charts, a number of cities comparable in size to Cincinnati with strong Mayors use a mixed system including both District

and at large Council members. Attached to this report as Attachment D is a six District map we recommend if Council chooses to place this type of “mixed” system on the ballot.

(e) Council Salaries

Cincinnati Council members are now paid two-thirds the salary of Hamilton County Commissioners, amounting to more than \$57,000 annually. Dr. Wheeland’s survey shows that the average Council salary in cities over 200,000 population is \$23,735 in Council/Manager cities, and \$39,061 in Mayor/Council cities. If Council members are elected by District, it was the view of the Commission that the level of salary now in place would no longer be appropriate. District Council members would not be required to spend significant amounts of time traveling throughout the City to meet with constituents. Instead, their focus would be on their neighborhood Districts.

In addition, some have expressed the view that as Council positions have turned from part time to full time in recent years, based in large part upon the relative size of the salary, Council members have lost a “big picture” focus on overall City policy and have become more directly involved in attempts to “supervise” the City Manager, department heads, and various City employees. To some, this micro-management by Council members creates the impression that the City administration is so bogged down in responding to the demands of Council members that important City projects and initiatives have been delayed or frustrated. The Commission cannot make a meaningful judgment as to whether these concerns are legitimate. However, the Commission did vote by 7 – 4 (with two abstentions) to recommend reducing Council salaries to one-third the amount paid to Hamilton County Commissioners. This would amount to a fifty percent reduction in Council salary.

(f) Term Limits

In 1991, the citizens of Cincinnati voted to impose eight-year (4 terms) term limits on Council members. Term limits were not a subject that Council's resolution asked our Commission to consider. Nor did we receive significant input one way or the other on the issue of term limits during our public hearings. There was no term-limit question asked in the poll. However, in his report to the Commission, Dr. Wheeland noted that many cities do not have term limits for Council members and the Mayor. He further observed that term limits can have the effect of prematurely removing experienced leadership from a City Council. By a vote of twelve to one, the Commission recommends ending term limits for Council members as part of any proposal to elect Council members by Districts. The Commission does not recommend changing the eight-year term limit for the Mayor.

8. Conclusion

A majority of this Commission believe that significant changes are required to facilitate stronger and more accountable leadership for our City. Our most significant recommendation is a change to a Mayor/Council form of government, with the Mayor clearly in charge of the City administration, assisted by a professional Chief Administrative Officer. Just more than half of our members also support a Council elected by nine Districts, rather than the current at-large system. We believe that the citizens should have a chance to vote on these important proposals in the November 2004 election when there will be significant voter participation, generated by the 2004 Presidential election.

We offer our continued assistance in developing a comprehensive proposal for consideration by Cincinnati voters.

City of Cincinnati



Alicia Reece
Vice-Mayor

200306453

City Hall, Room 349
801 Plum Street
Cincinnati, Ohio 45202
Phone (513) 352-3638
Fax (513) 352-3236
E-Mail: Alicia.Reece@cincncrcc.org

June 12, 2003

MOTION

CITY COUNCIL ELECTORAL REFORM COMMISSION

WE MOVE that the Electoral Reform Commission be appointed before Council's summer recess; and,

WE FURTHER MOVE that the structure of the Commission be made up of thirteen (13) members; each major political party (Democrats, Republican, and Charter) will appoint three members; and the Mayor will appoint four (4), with one serving as the chair, no member of City Council nor Council candidates would serve on the Commission; and,

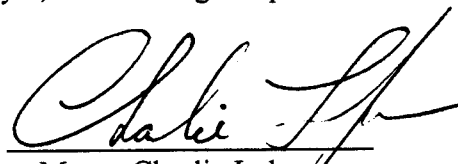
WE FURTHER MOVE that all appointments be made formally by the Mayor and voted on by Council by June 25, 2003 and that the Commission begin to hold meetings this summer; and,

WE FURTHER MOVE that this Special Commission examine the following Electoral Reforms:

- A District Representation System (recommendation must include lines)
- A Proportional Representation System (must include full explanation of how the system will work)
- An Executive Mayor form of government; and,

WE FURTHER MOVE that this Commission report directly to the mayor and city council no later than February 1, 2004 through a special session(s) of the entire Council.


Vice Mayor Alicia Reece


Mayor Charlie Luken

COMMITTEES

Chairwoman

Health
Social & Children Services
Small Business Development
Employment & Training

Jurisdiction

Health, Human Services & Children
Small Business Developments
Job Growth
Employment and Training
CICA
Chambers of Commerce
Affirmative Action & Personnel

Member

Finance
Rules

City of Cincinnati Charter Amendments on the ballot -- relating to City Council, Mayor and Election systems

Date/Yr.	Amendment Name	Reg/Voters	Yes	No	#Voted	%Voted	P/F
#####	9 Districts -- 1st amendment (see OH Historical Society)		19,431	105,693	125,124		F
#####	9 Districts -- 2nd amendment (see OH Historical Society)		15,985	106,972	122,957		F
#####	Change in Title III, selection of officers (see OH Hist. Soc.)		92,510	41,105	133,615		P
#####	??Charter Amendment Art. IX, Section 5 & 10		35,819	36,650	72,469		F
6/6/1939	??Charter Amendment		47,558	48,300	95,858		F
#####	??Election of Council		74,415	82,017	156,432		F
#####	Limit signatures on Council petitions to 800	251,304	81,433	46,211	127,644	50%	P
#####	Modify transfer of surplus vote under PR	251,304	86,119	42,453	128,572	51%	P
#####	Filling vacancies on Council	258,467	79,206	46,660	125,866	48%	P
#####	Substitute method of voting (change PR)	251,285	74,886	75,493	150,379	59%	F
#####	Substitute method of voting (change PR)	229,721	65,559	54,097	119,656	52%	P
#####	Use of mechanical/other devices for elections	230,798	88,233	51,793	140,026	60%	P
#####	Stronger campaign limits than state law	186,381	53,828	67,751	121,579	65%	F
#####	Election of one Mayor and eight at-large council members	186,381	54,371	69,924	124,295	66%	F
#####	Follow state election procedures for council elections	229,241	85,953	43,017	128,970	56%	P
#####	Follow state election procedures for council elections	213,581	45,020	20,788	65,808	30%	P
#####	Mayor two year terms	213,581	54,488	14,910	69,398	32%	P
#####	Mayor elected by most votes	209,295	52,829	30,850	83,679	39%	P
#####	Proportional Representation	221,643	54,512	65,581	120,093	54%	F
#####	No Restrictions-Terms	187,376	48,231	38,075	86,306	46%	P
#####	Term Limitations	187,376	53,767	37,000	90,767	48%	P
#####	Proportional Representation	187,376	48,194	39,170	87,364	46%	F
5/4/1993	Proportional voting	182,671	4,816	17,856	22,672	12%	F
5/3/1994	Apply state campaign law to council	184,116	18,992	18,065	37,057	20%	P
#####	Council salary-median household inc.	188,757	33,484	45,047	78,531	41%	F
#####	Council Terms & direct election mayor		18,413	33,094	51,507		F
5/4/1999	Direct election & strong mayor	215,340	20,975	18,750	39,725	18%	P
#####	Public Fin./council races & limits	220,309	42,688	42,141	84,829	38%	P
#####	No Public Funds for Campaigns	191,005	41,289	33,538	74,827	39%	P



CINCINNATI CHARTER CHANGE POLL

*Key Findings from a survey of 300 registered voters in Cincinnati, Ohio
Conducted January 13-14, 2004.*

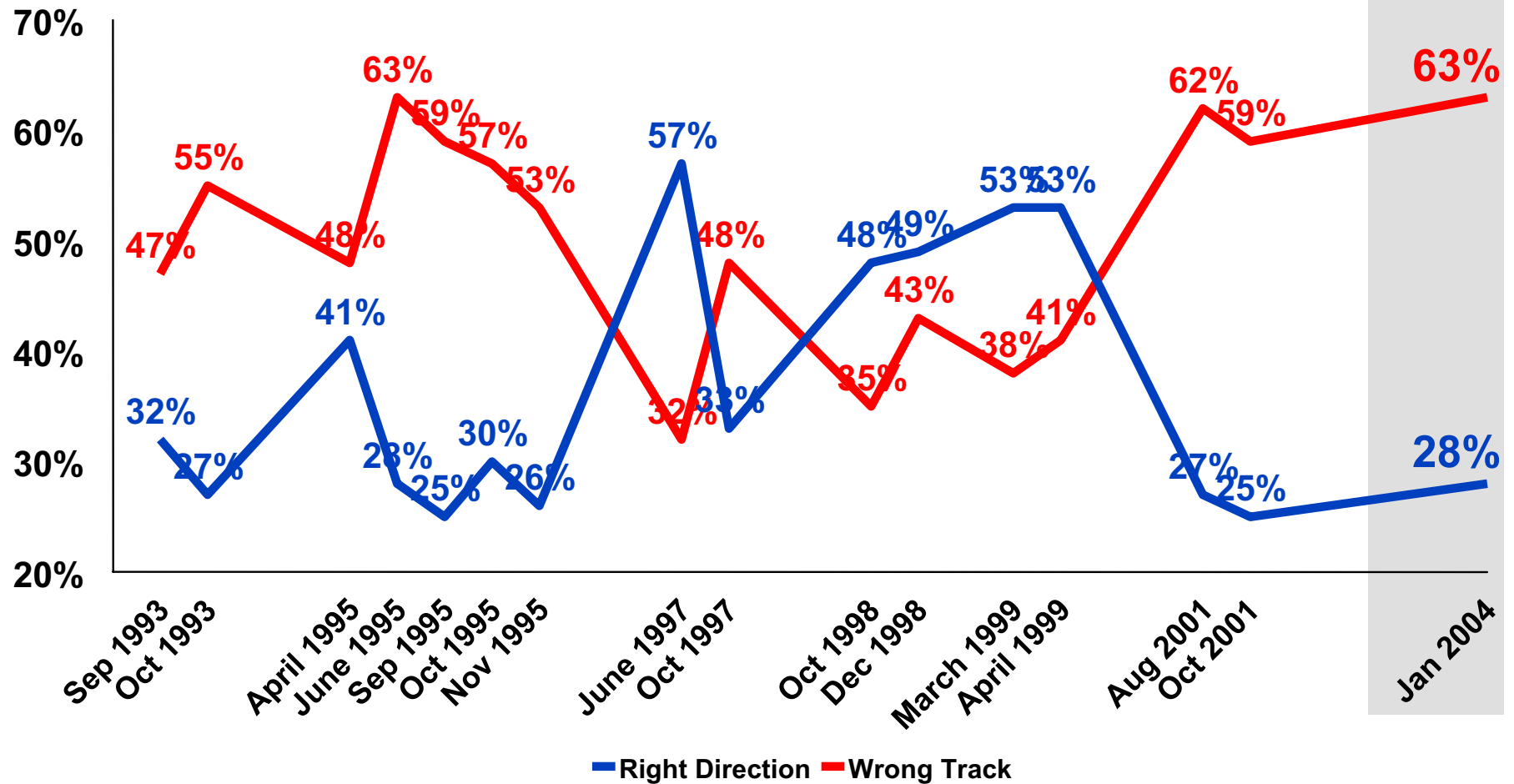


NEIL NEWHOUSE
PARTNER • newhouse@pos.org

The political environment in the city is not a
positive one...

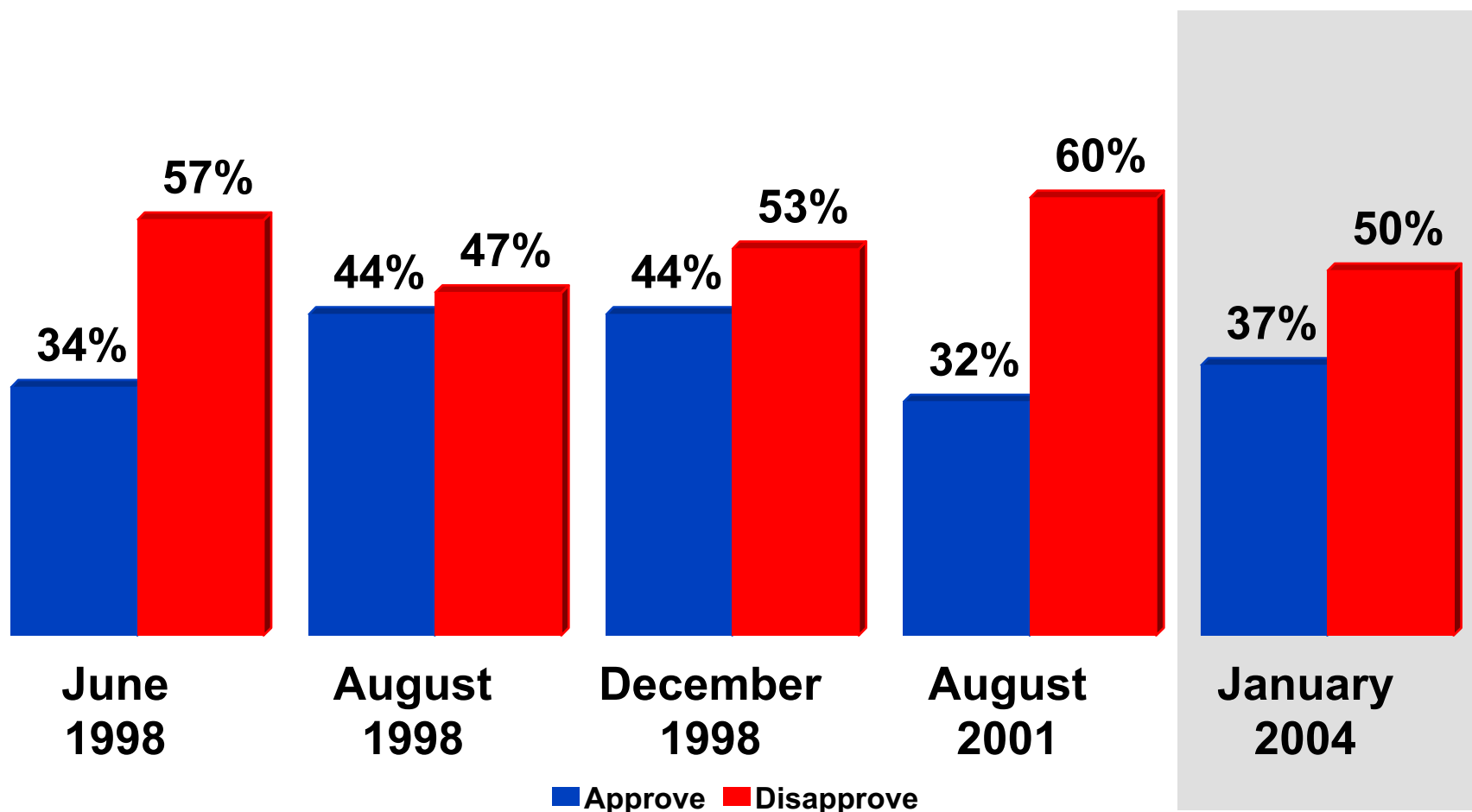
Voters overwhelmingly believe the city is off on the wrong track.

Generally speaking, would you say that things in Cincinnati are going in the right direction, or have they pretty seriously gotten off on the wrong track?



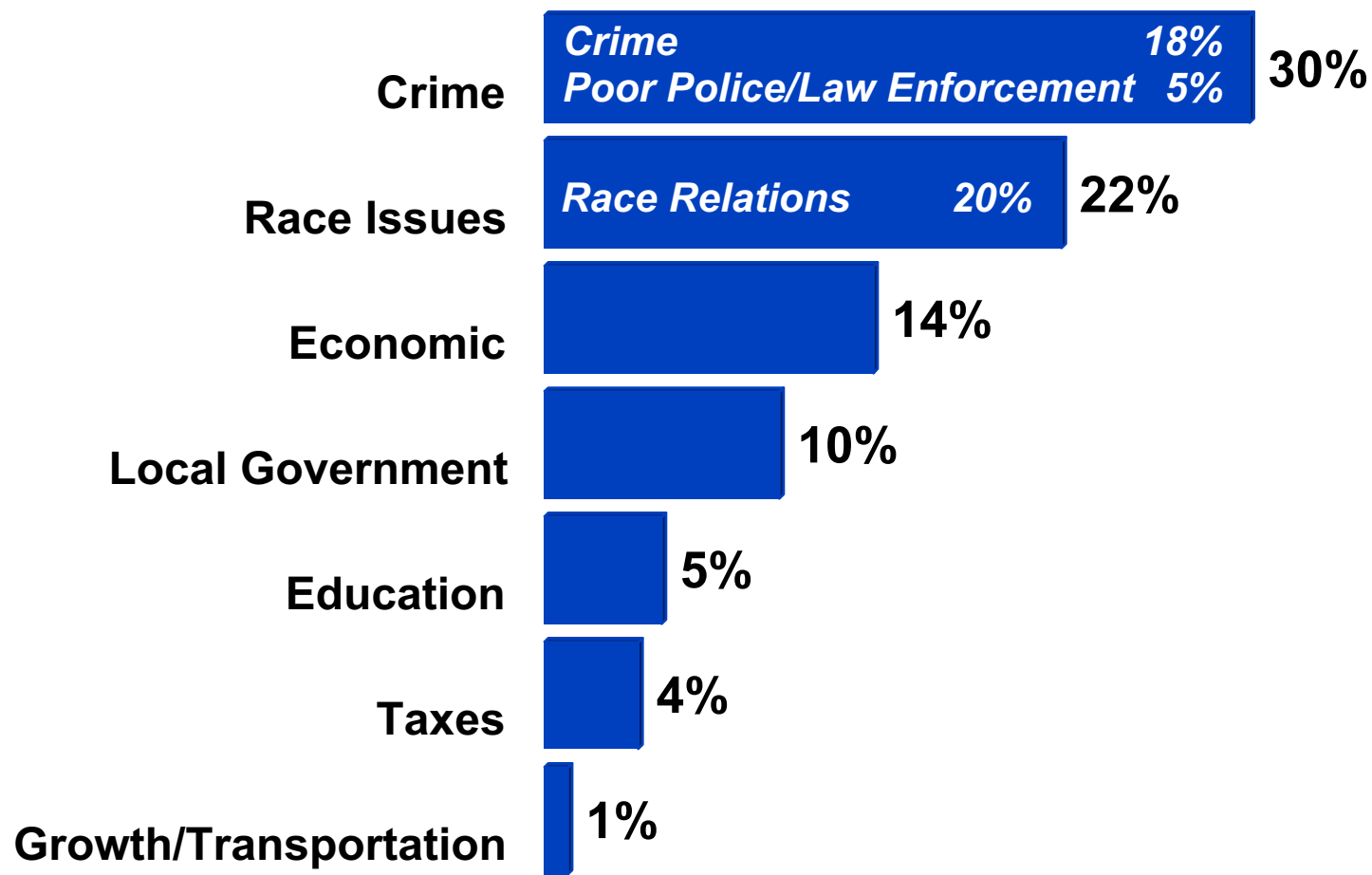
They do not give the City Council positive scores.

And, do you approve or disapprove of the job the Cincinnati City Council is doing?



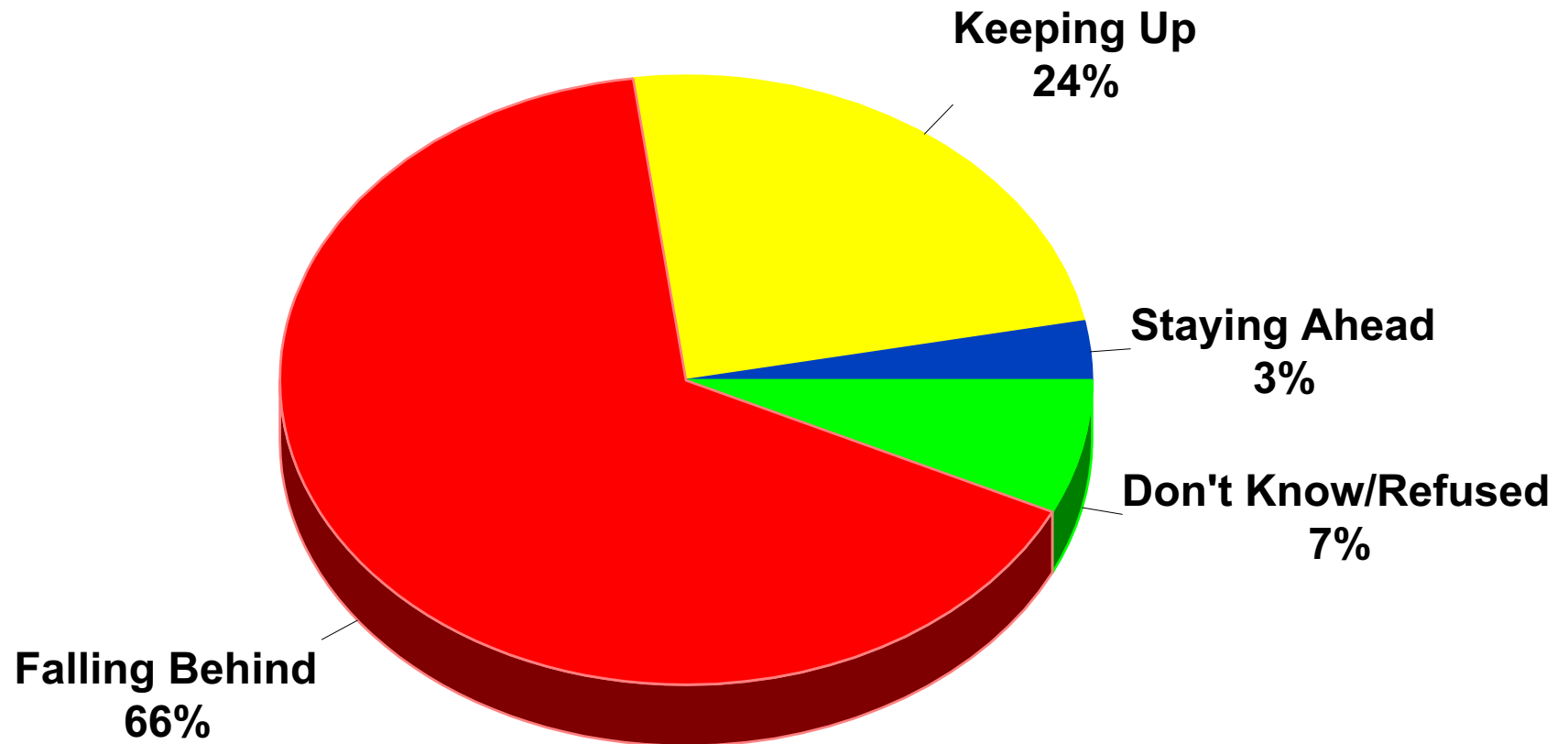
Voters are overwhelmingly focused on the issues of crime and race relations.

And, what would you say is the most important problem facing Cincinnati today, that is, the one that you, yourself, are most concerned about?



And, two-thirds of voters believe the city is falling behind other similar areas.

Generally speaking, do you believe that the city of Cincinnati is staying ahead of other similar areas across the country, it is keeping up with them, or is it falling behind other similar areas?



Those voters who say the city is falling
behind focus on...

VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

Voters who feel Cincinnati is falling behind have three main focuses: economic problems, racial tensions and a lack of vision for the future.

On the first point, voters cite that businesses in Cincinnati are leaving the area or requiring excessive amounts of money to stay. They also find that there is no decent development plan for downtown or the river front area. So, not only are the businesses leaving, but voters see no plan for entertainment or other improvements to replace them or entice them to stay. Several voters said they look to Kentucky for things to do and the right way to run things economically.

VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

Secondly, the race problem is prevalent in these responses (33 mentions). Voters overwhelmingly point to race issues and problems with the police force and crime as reasons the city is falling behind. Interestingly, Republican voters tended to mention racism in general, and Democratic voters mentioned the police force problems more specifically. But the overall consensus is that there is a lack of cohesion in Cincinnati and the racial problems are keeping the city from progressing.

continued



VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

And, that lack of progress ties in with the third main concern – a lack of vision for the future of Cincinnati. Voters complain that there is no leadership in the city; no one is coming up with a plan to bring Cincinnati back to life. Several voters say that the city is stuck in the past, and that there is no planning or looking forward at all. Voters believe the government in Cincinnati seems to be reactionary – instead of taking action now to prevent future problems, they are reacting, in some cases too late, to problems as they arise.

continued



VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

As part of this, the voters criticize the city for having the wrong focus, or a complete lack of focus. They want the city to figure out a way to plan and work together towards that plan. As one voter put it, Cincinnati needs “harmonious vision.”

continued



VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

I believe that we are falling behind due to economics, crime, taxes, and education.

Race relations are poor. The City Council is incapable of working as a team.

Kentucky builds it and we talk about it.

Lack of city leadership. I don't know how to expand on the fact that we're not getting enough of the city leadership, and their approach to economic development isn't very sound.

They are losing business, they are moving into outlying areas or moving out altogether. They just don't seem to be able to maintain companies and stores in the downtown area.

We are losing our young population to other areas. We have a lot of racial problems. The different races of Cincinnati refuse to talk to one another. Also, they refuse to understand one another.

VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

We're neglecting our neighborhoods and putting our money downtown, and haven't seen anything about that. Public education is a shambles. Homicide numbers are astronomical.

The city is not taking initiatives to build for the future. And I don't mean building as in bricks and mortar. Like planning for the future of the city.

Economic development. The river front development is too slow. We're losing jobs.

Our ridiculous City Council is a joke, and they try to micro manage everything. There is too much racism.

Of course, there's the crime issue, but I think the main problem is that we wait until things get really bad and then we try to fix it, but then it's too out of hand and nobody knows how to fix it. I think it has a lot to do with racial issues in the city. I also think there is a tremendous lack of accountability by the city leaders, city fathers and city mothers.

VERBATIM RESPONSES

And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country?

We're falling behind because the city does not have a harmonious vision on what it needs to achieve, to become what it wants to be.

I think it comes back to the racial problem. It's just I never thought about it that way, and I don't like that. I never thought black and white, but now it's almost like you have to. I feel uncomfortable about that.

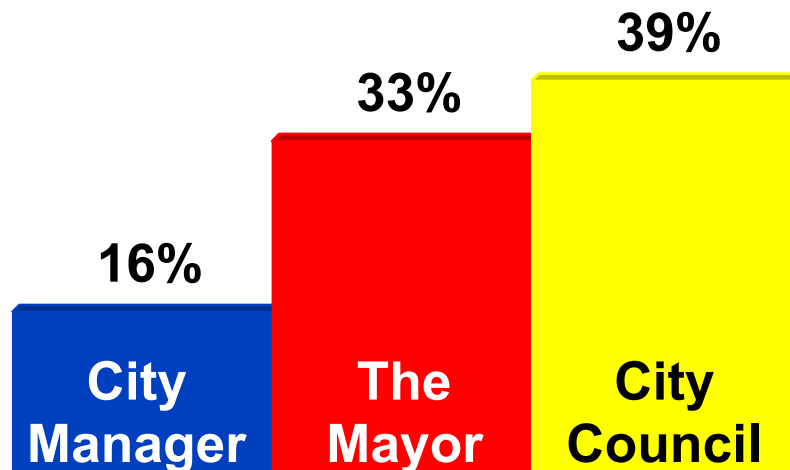
Two reasons. One is the economy, and the other is the racial climate. We have had a lot of bad problems in the city. Our racial climate has become part of the economy.

Well, all we have to do is look across the river to the Kentucky side of the river to see how we have fallen behind.

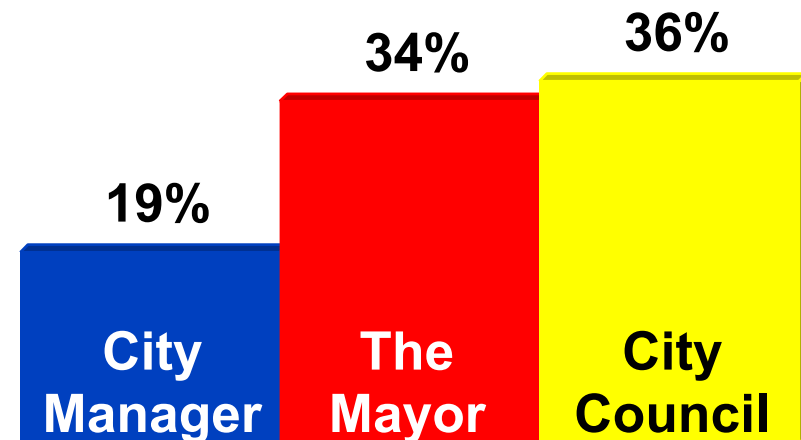
Despite the fact that voters are divided on the issue of whether the city's system of government is providing effective leadership, there is a fairly strong sentiment that the current city manager system is not working well.

Voters are divided on who is most responsible for running the city, and who **SHOULD** be responsible for doing so.

*And, based on what you have seen, read or heard about city government, which one of the following do you believe is **MOST** responsible for actually running city government...*

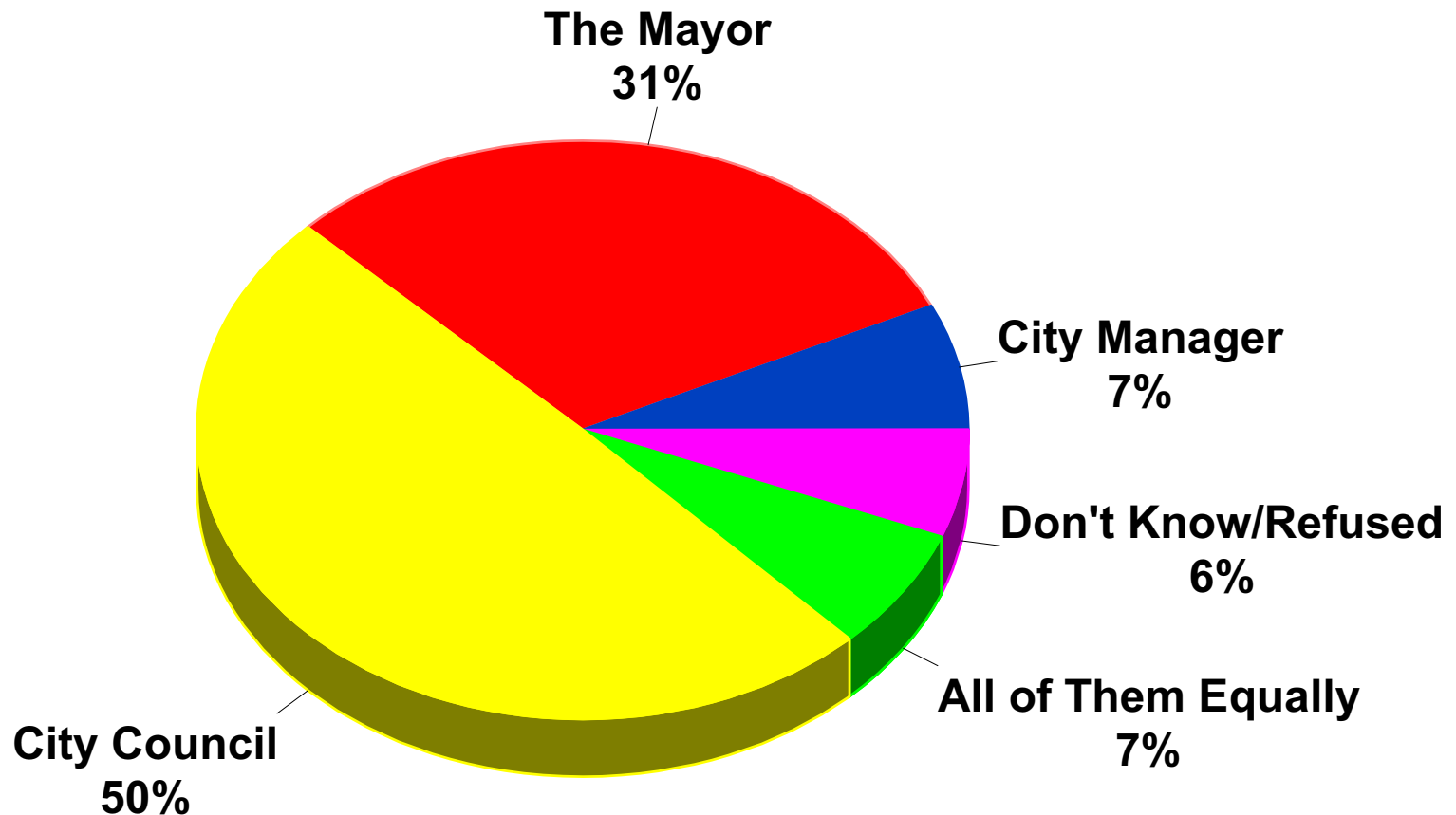


*And, which do you believe **SHOULD** BE MOST RESPONSIBLE for actually running city government...*



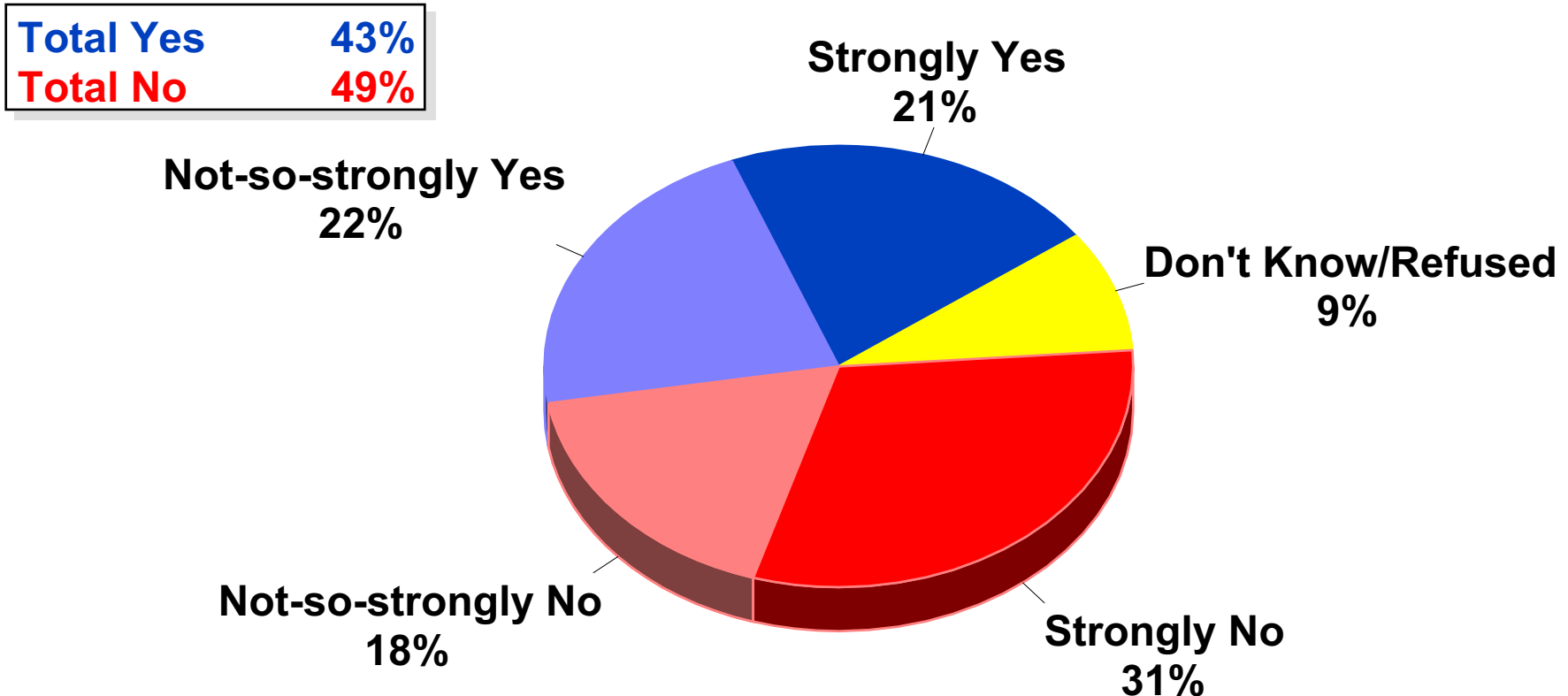
And, more voters believe the City Council is accountable to the city's voters than the Mayor.

And, as a voter, which do you feel is most accountable to the city's voters...



Voters are divided on whether the city's system of government is providing effective leadership.

Now, as you may know, under Cincinnati's current charter, the Mayor of the city is directly elected, the Mayor is responsible for picking the City Manager who is the chief executive officer of city government, and the City Manager then reports to both the Mayor and the City Council. Do you believe that this current system is providing effective leadership to address the city's problems?



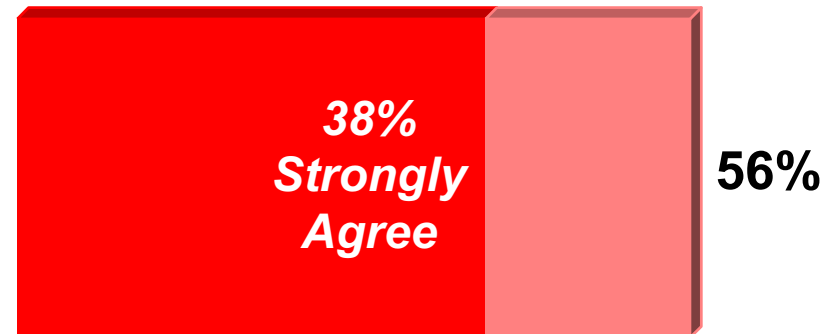
Yet, a strong majority of voters believe the current system does NOT work well.

Now, I'd like to read you two different opinions regarding the city's system of government and please tell me which you agree with most...

The city's current City Manager system of government works well because a professional administrator runs city government, rather than the politicians.

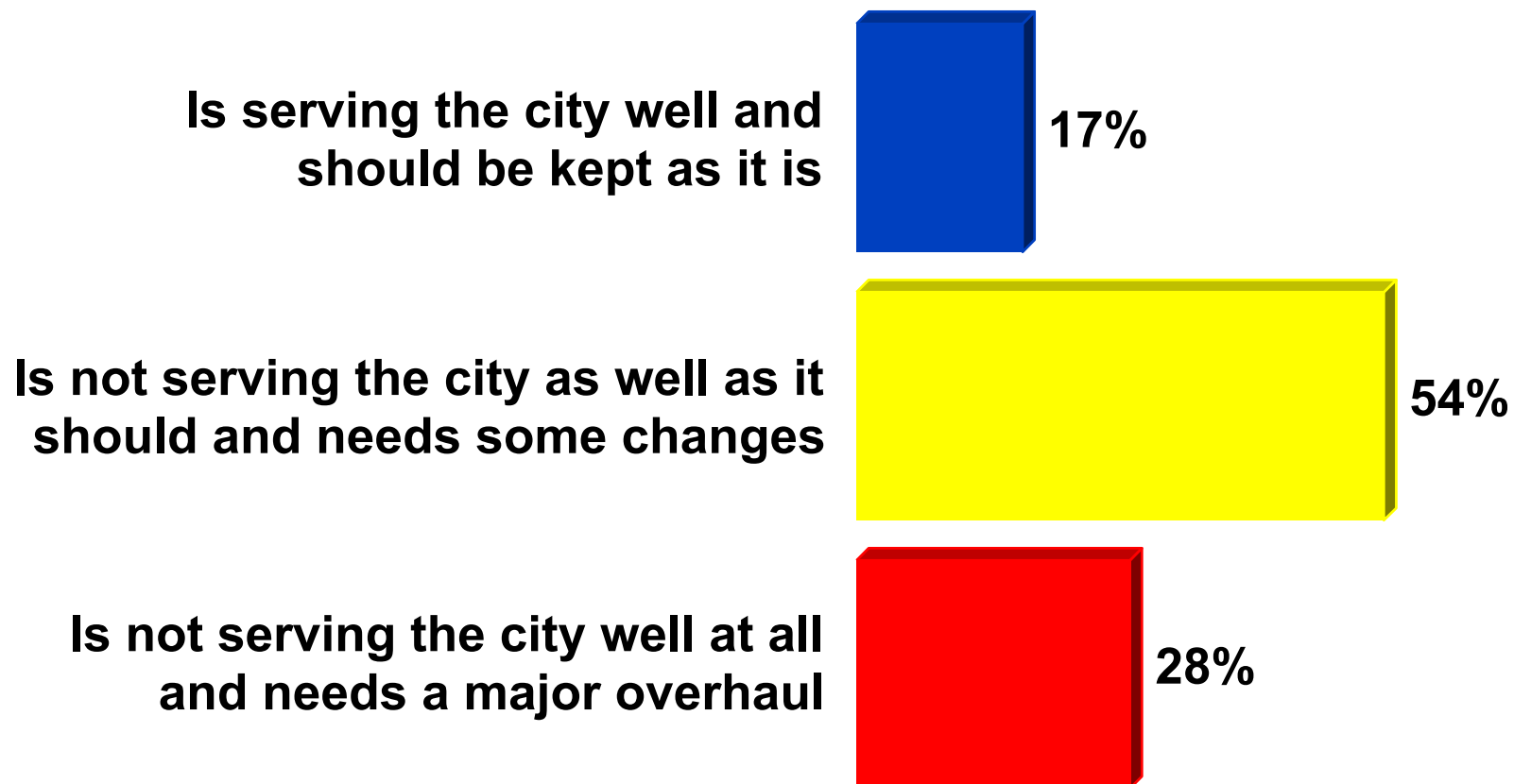


The city's current City Manager system does not work well because the City Manager is responsible to both the Mayor and the City Council, making it unclear who is in charge, resulting in few things getting done.



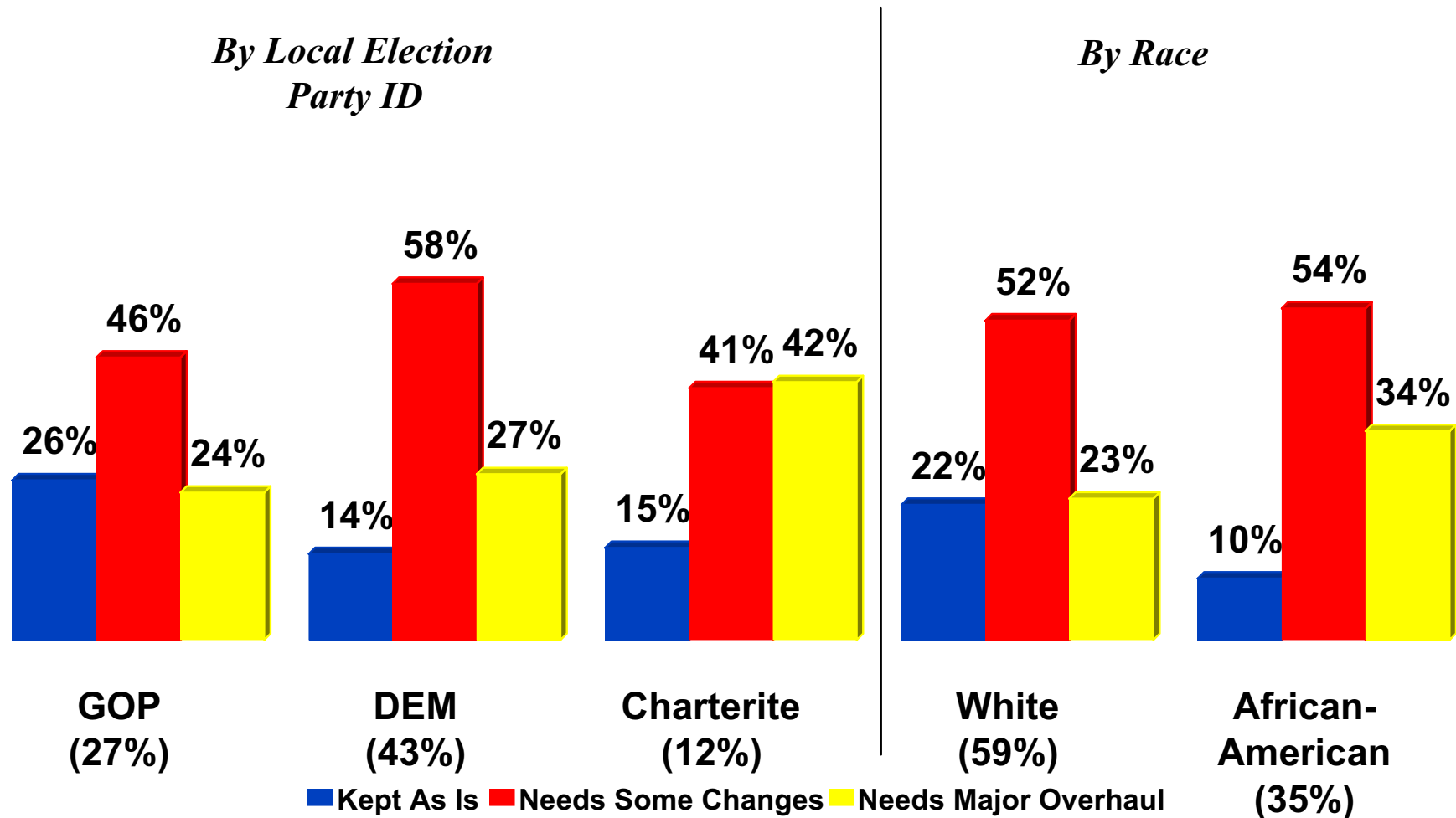
While there is sentiment for change in the city's current government, few voters want a "major overhaul."

And, do you believe that the current form of city government...



The sentiment for some change cuts across partisan and racial lines.

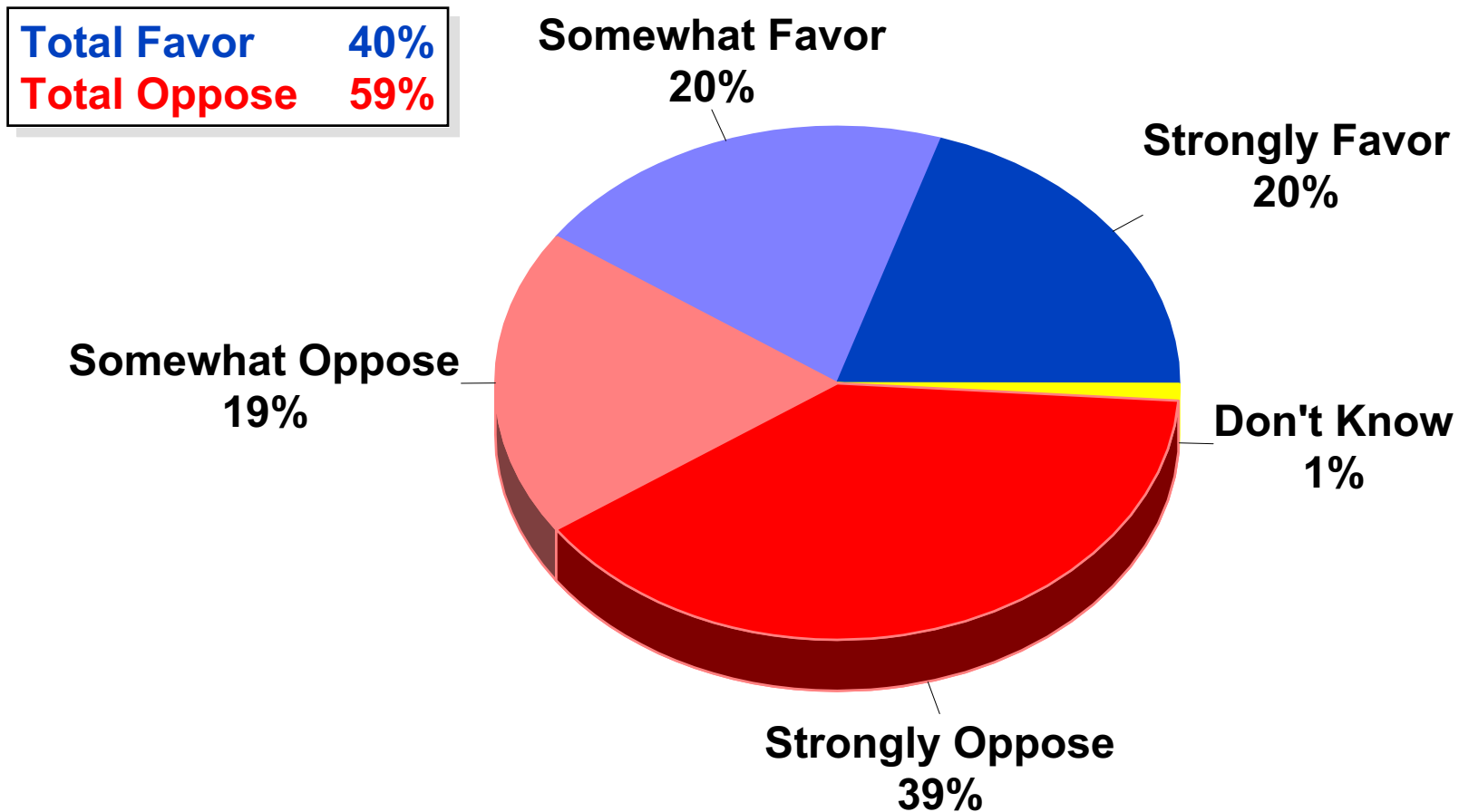
Current Form of City Government



There is significantly more support for a stronger Mayor with chief administrative officer than for an executive Mayor proposal.

Voters oppose a proposal calling for the elimination of the city manager.

*This first proposal continues to call for the direct election of the Mayor and eliminates the position of city manager, making the Mayor directly responsible for running city government.
Would you favor or oppose this proposal?*



VERBATIM RESPONSES

And, what would you say are the most important benefits to the city of this type of change in the form of city government?

This question was asked of voters after hearing the plan for directly electing the Mayor while eliminating the position of city manager.

The main benefit the voters mention is accountability. They approve of the plan because it makes one person responsible for leading the city. And they say it would not only provide more direct leadership, but also that it means there is one person to blame. And because the voters do not elect the city manager, they feel that under this arrangement, they can just vote the mayor out of office if they are unhappy with the city's progress.

VERBATIM RESPONSES

And, what would you say are the most important benefits to the city of this type of change in the form of city government?

Voters who approve of this plan like that it would be a less confusing form of government, and that it would streamline communication between city council and the mayor. As one voter said, it cuts down on the number of “mouths getting into it,” and expedites the process.

And finally, just a couple of voters mention that eliminating the city manager would mean one less salary to help cut costs.

continued



VERBATIM RESPONSES

BENEFITS

There would be a clear vision for the city, to develop it further.

We would have an accountability, we would know who to blame.

It clarifies accountability. That is it. If the Mayor is elected and is responsible for the City Council, there is no question as to why something is or is not working.

The more you hold him responsible, the more he'll be responsible.

It would dissipate the split decisions of the government. It would cut out the go-betweens and would keep from shifting blame and would make things more stronger.

I think there would be one boss. They have too many bosses.

Well, direct access to somebody who can make changes in policies. If you don't like what he or she is doing, you can vote them out.

VERBATIM RESPONSES

And, what would you say are the most important drawbacks to the city of this type of change in the form of city government?

On the other side of the issue, voters opposed to this plan say it would give too much power to the Mayor. They want to spread the accountability out and have different people responsible for different aspects of government.

Voters believe that a city manager is trained to know how to run government, and therefore can better handle aspects of the job in which the Mayor may not be experienced. Many of these voters doubt that the Mayor is qualified to handle all the responsibilities of running the city. They believe the city manager takes the day-to-day city management out of the Mayor's hands so that he can focus on other things.

VERBATIM RESPONSES

And, what would you say are the most important drawbacks to the city of this type of change in the form of city government?

Lastly, the voters opposed to the plan believe that having one elected and one appointed official prevents corruption. The city manager is not concerned about re-election and can focus more on the job at hand instead of a political career.

continued



VERBATIM RESPONSES

DRAWBACKS

The Mayor would be tied up in day to day planning.

Well, for one thing, it would put too much strain on the Mayor, which won't help his assigned duties.

I think it spreads out the accountability between the two, the Mayor and the city manager. They both have different areas to focus on.

You are putting too much power in the Mayor's hands.

I like the idea of the Mayor being elected by the people, but I don't like the Mayor to have the full power of doing everything. Sometimes they can say stuff and get in there, and sometimes they totally change their minds, and if you give them the full power, there's nothing you can do about it.

*The Mayor is going to be pretty damn busy. He's like the XO.
(Executive Officer)*

VERBATIM RESPONSES

DRAWBACKS

It lends itself to corruption and inefficiency. The elected Mayors are not qualified to run a city, and they are not managers. The Mayor's role is political and the manager role is more management, and both have to take part.

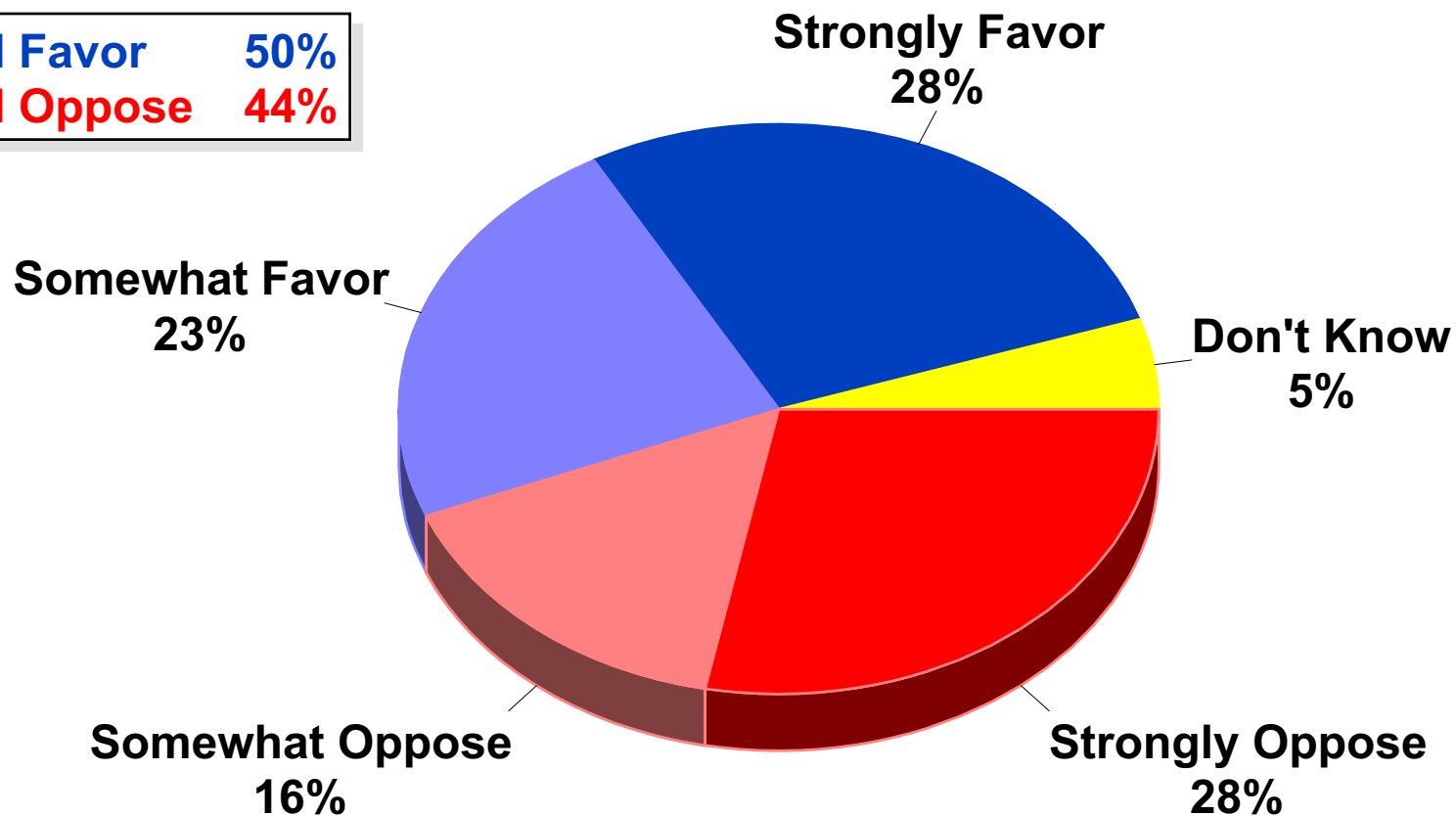
I think that a city should be run by a technician who would be trained and qualified to operate the city government.

I've not been impressed that Mayors know how to run a city.

There is support for a stronger Mayor, keeping the City Manager.

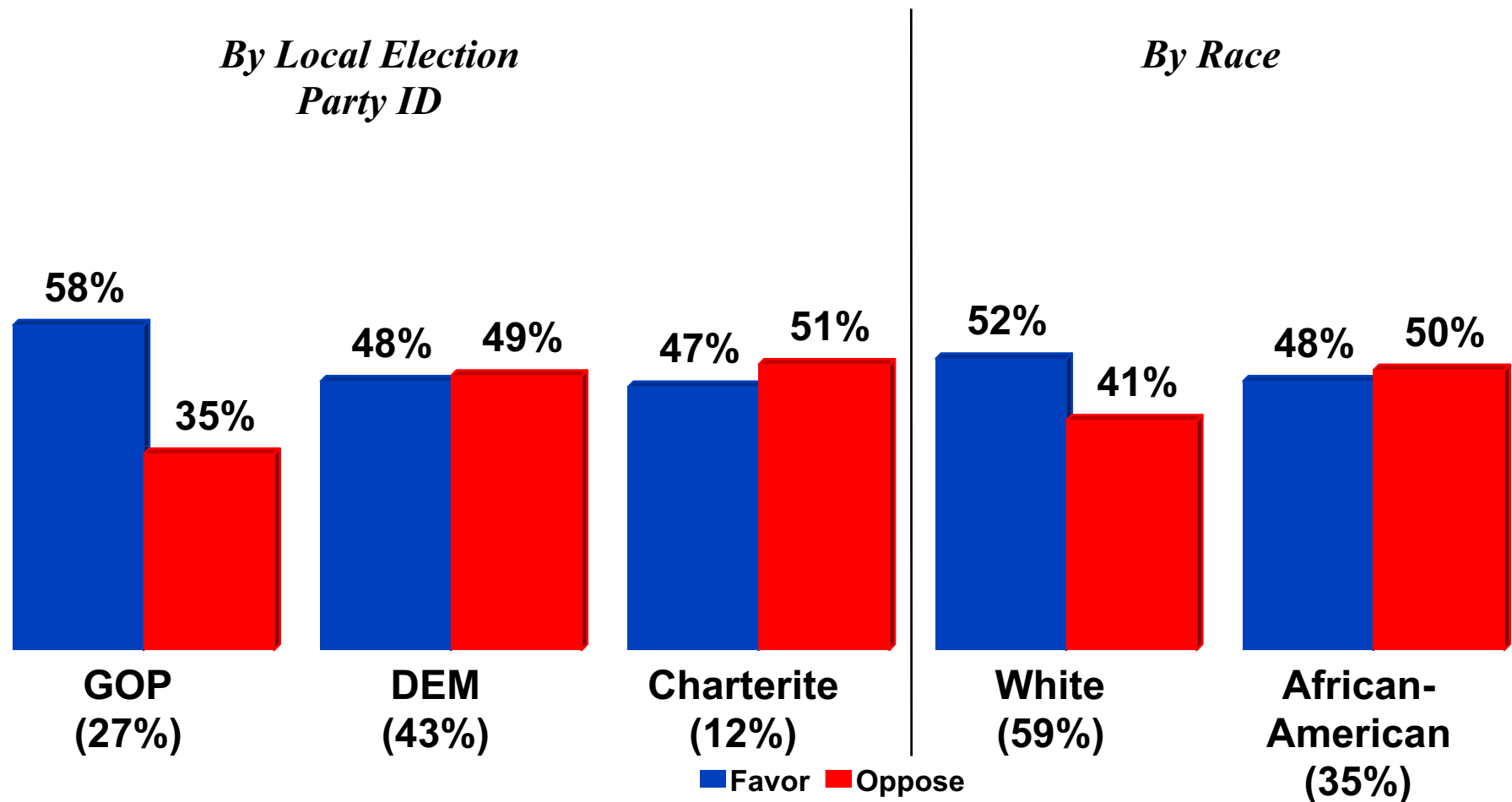
This next proposal continues to call for the direct election of the Mayor and makes the Mayor solely responsible for hiring and firing the City Manager, essentially making the Mayor responsible for running city government. Would you favor or oppose this proposal?

Total Favor	50%
Total Oppose	44%



Support is strongest among Republicans.

Stronger Mayor/Keep City Manager



VERBATIM RESPONSES

And, what would you say are the most important benefits to the city of this type of change in the form of city government?

This question was asked of voters after hearing the plan for directly electing the Mayor while making the Mayor solely responsible for hiring and firing the City Manager.

Again, voters approve of this plan because it would centralize power in the Mayor's office. They believe it would help make the Mayor stronger and better able to work with city council. They feel that the power is too split between the council and the Mayor and that by centralizing the Mayor's power more, he would be more effective – it would make it more clear who is in charge.

VERBATIM RESPONSES

And, what would you say are the most important benefits to the city of this type of change in the form of city government?

Voters like the accountability that goes with directly electing the Mayor. They understand that the Mayor would be responsible to the voters, and by keeping the city manager position under his control, he would not have to spread himself thin with the everyday management of the city.

continued



VERBATIM RESPONSES

BENEFITS

The fact that there is someone who is totally responsible, not three factions, and there is an appointee of the Mayor's. The council seems to be too powerful. They should have some power but not as much.

It allows one person to be in charge, instead of a bunch of ineffective idiots.

It gives the Mayor a little more power, which he should have, without having exclusive control.

It gets the power structure back in place. Too many things have gone awry. Too many fingers in the pot, and it's rather chaotic.

By giving the Mayor a stronger hand to manage the city would cause a little better working conditions between the Mayor and City Council.

The Mayor is responsible to his constituents. His hiring would hopefully reflect that.

VERBATIM RESPONSES

And, what would you say are the most important drawbacks to the city of this type of change in the form of city government?

Voters opposed to the plan believe it gives too much power to one person. It would remove any checks and balances that exist between the Mayor and City Manager. They believe this would make the City Manager's position more political, and would further reduce the ability to hold anyone accountable for the government's actions.

Further, voters believe the city manager should be independent. They say having the city manager serving at the whim of the mayor would undermine that person's ability to do their job, and keeps the city manager from being responsible to the people.

VERBATIM RESPONSES

DRAWBACKS

Simply that the Mayor and the city manager would be in each other's pockets. They would be too close, and the jobs could be compromised.

It would make the city manager too much at the whim of the elected politicians. That the city manager position needs a certain amount of autonomy from the political system.

I think it would be one person having too much power, if there's no checks and balances for the Mayor.

If you put one person in charge, you give too much credence and power. You already got a bunch of control freaks down there.

I think it puts too much power in the hands of one person. It's not very democratic, and it also gets further and further away from the people.

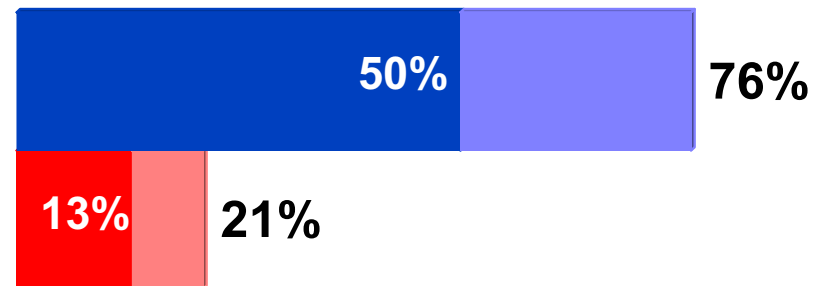
Because any time you give a Mayor so much power, he ends up using that power to his advantage and then takes over the city. If that Mayor had all the power, then I would be out in the field picking cotton.

**When voters are asked about the proposals to
make the Mayor more directly responsible for
running the city...**

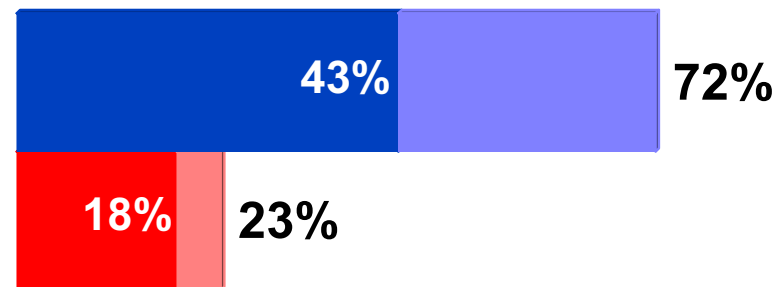
They overwhelmingly believe they would make the Mayor more accountable to the voters and give him/her the authority to get things done.

Now, please tell me if you agree or disagree with each of the following statements regarding these proposals to make the Mayor more directly responsible for running the city.

These proposals would make the Mayor more accountable to the voters.



They would give the Mayor the authority to get things done in the city.

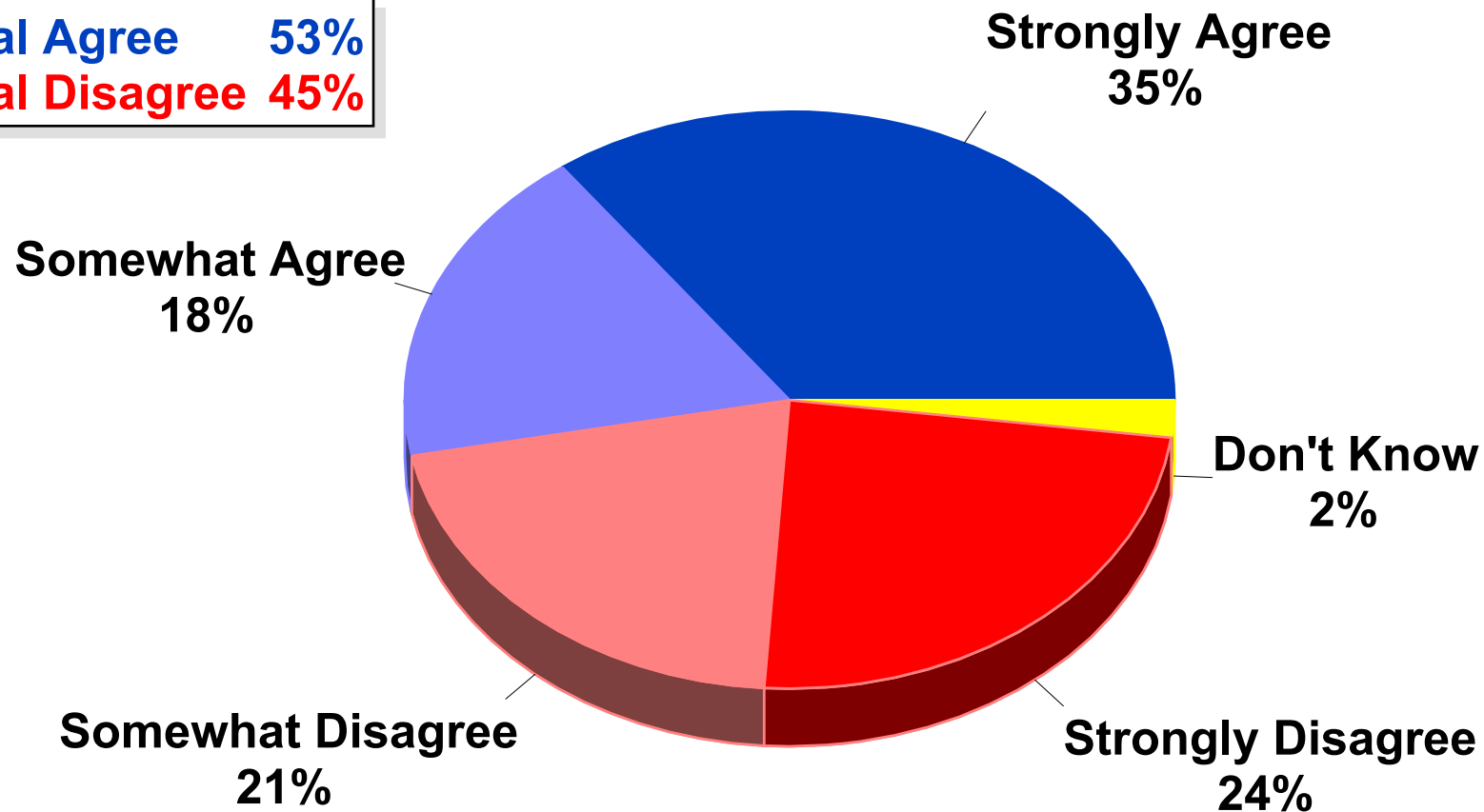


■ Strongly Agree ■ Somewhat Agree
■ Strongly Disagree ■ Somewhat Disagree

But, voters are also concerned that the proposal would give one person too much power.

They would give one person too much power, making it easier to corrupt city government.

Total Agree 53%
Total Disagree 45%

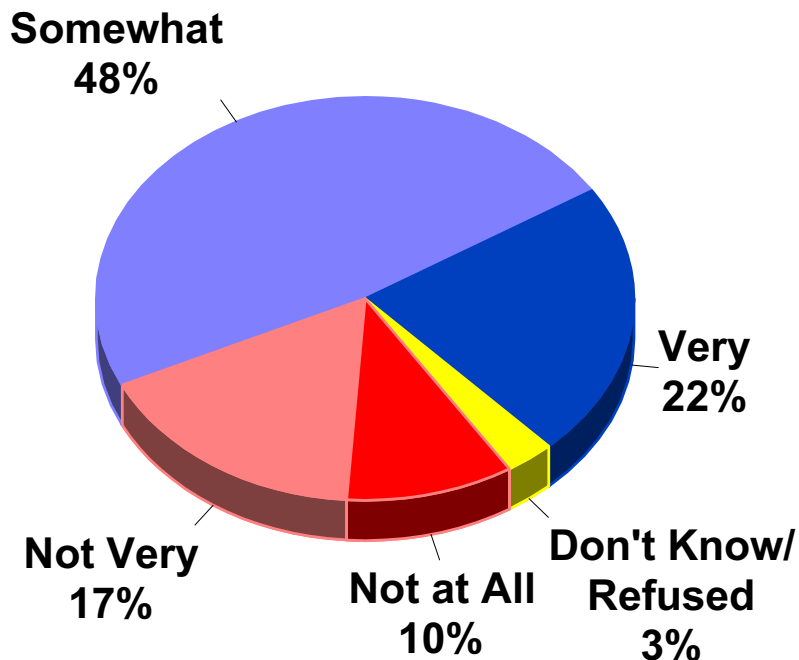


Despite the City Council's low approval rating, there is widespread belief that they are responsive to the issues that concern the city and local neighborhoods.

Voters believe City Council is responsive to both city issues and neighborhood issues.

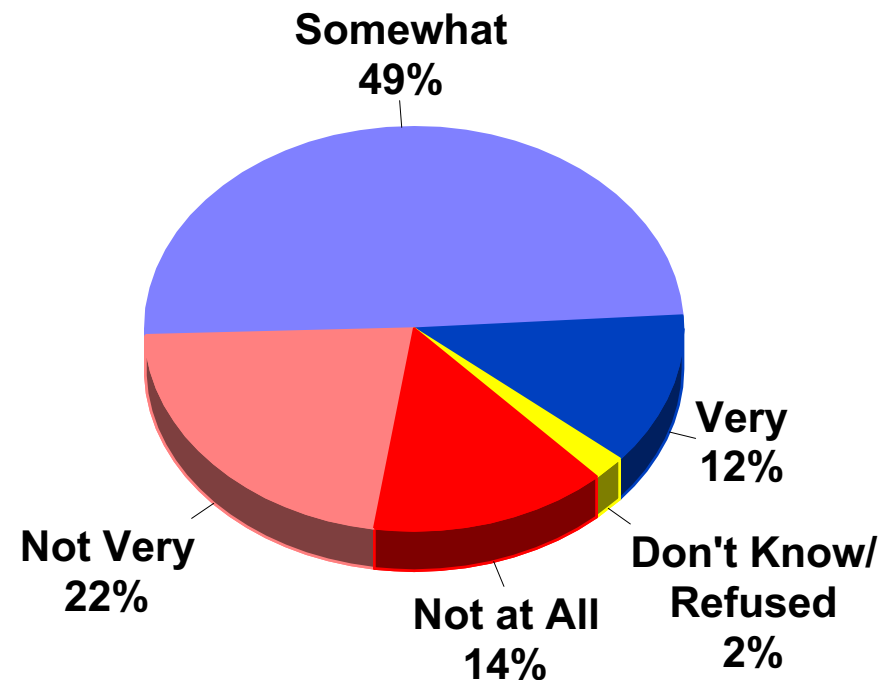
Now, on a related topic, how responsive do you feel that the City Council is to issues that concern the city?

Total Very/Somewhat	70%
Total Not Very/Not at All	28%



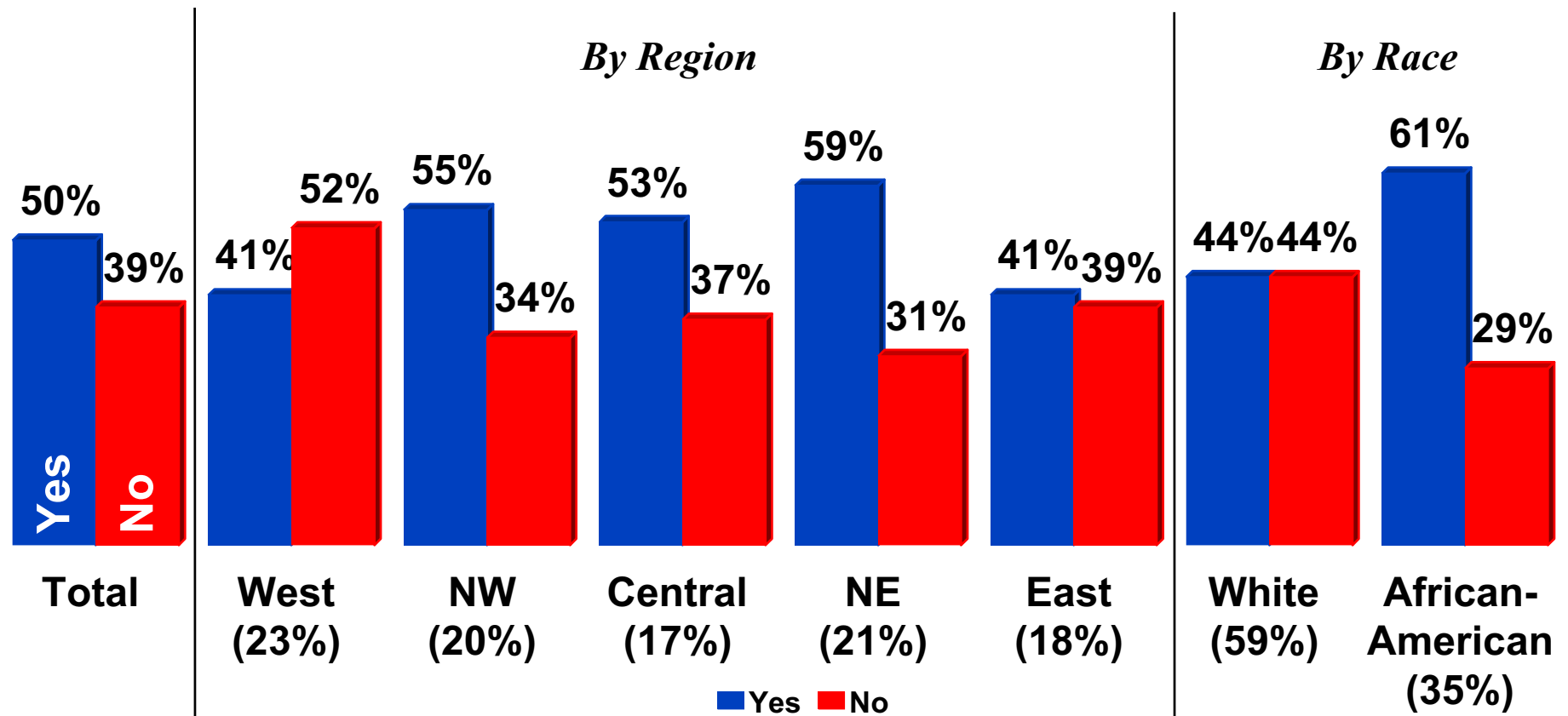
Now, how responsive do you feel that the City Council is to issues that concern you and your neighbors?

Total Very/Somewhat	61%
Total Not Very/Not at All	37%



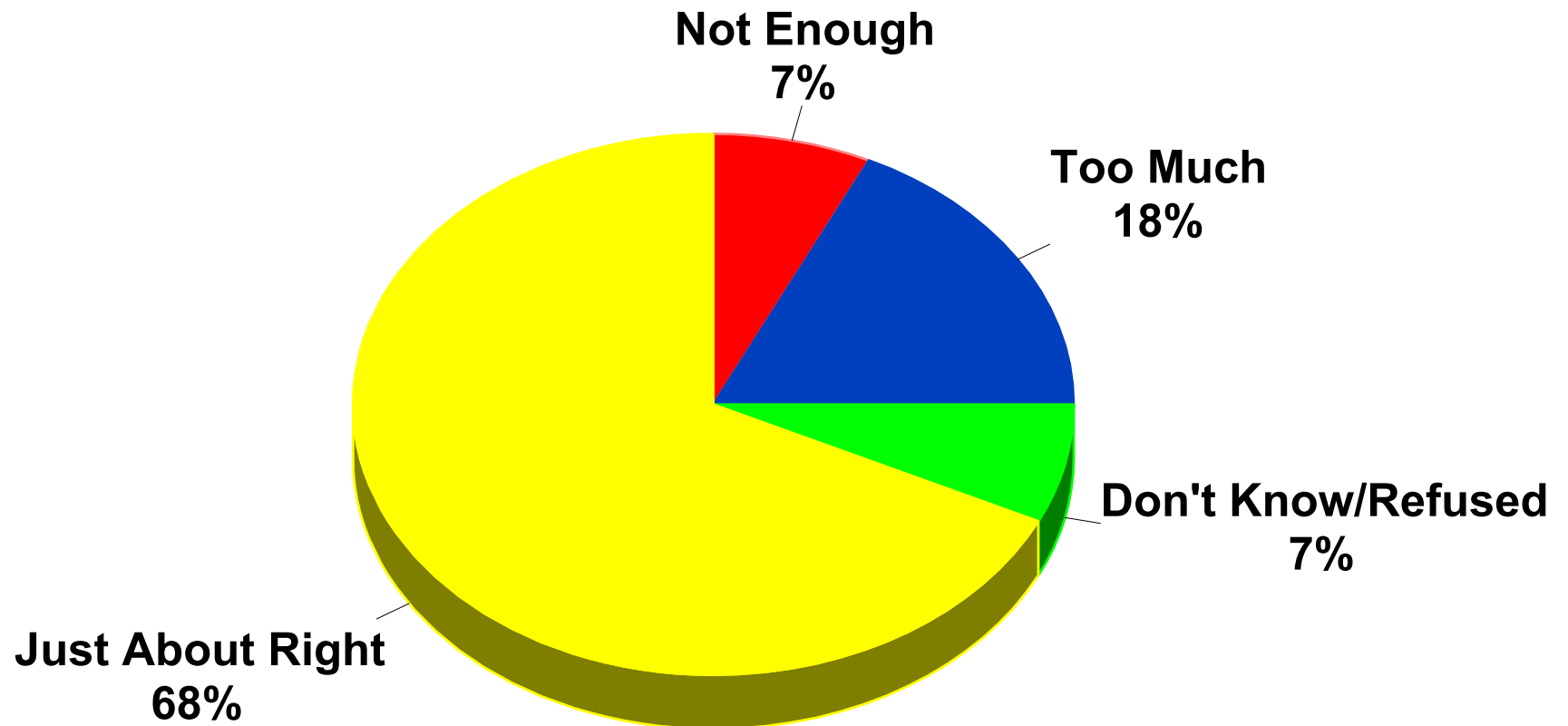
Fully half of voters say there is a member of City Council who really stands up for the concerns of their neighborhood.

And do you believe there is a member of the City Council who really stands up for the concerns and problems in your specific neighborhood or community?



And, there is virtually no outrage among voters about the salary Council members receive.

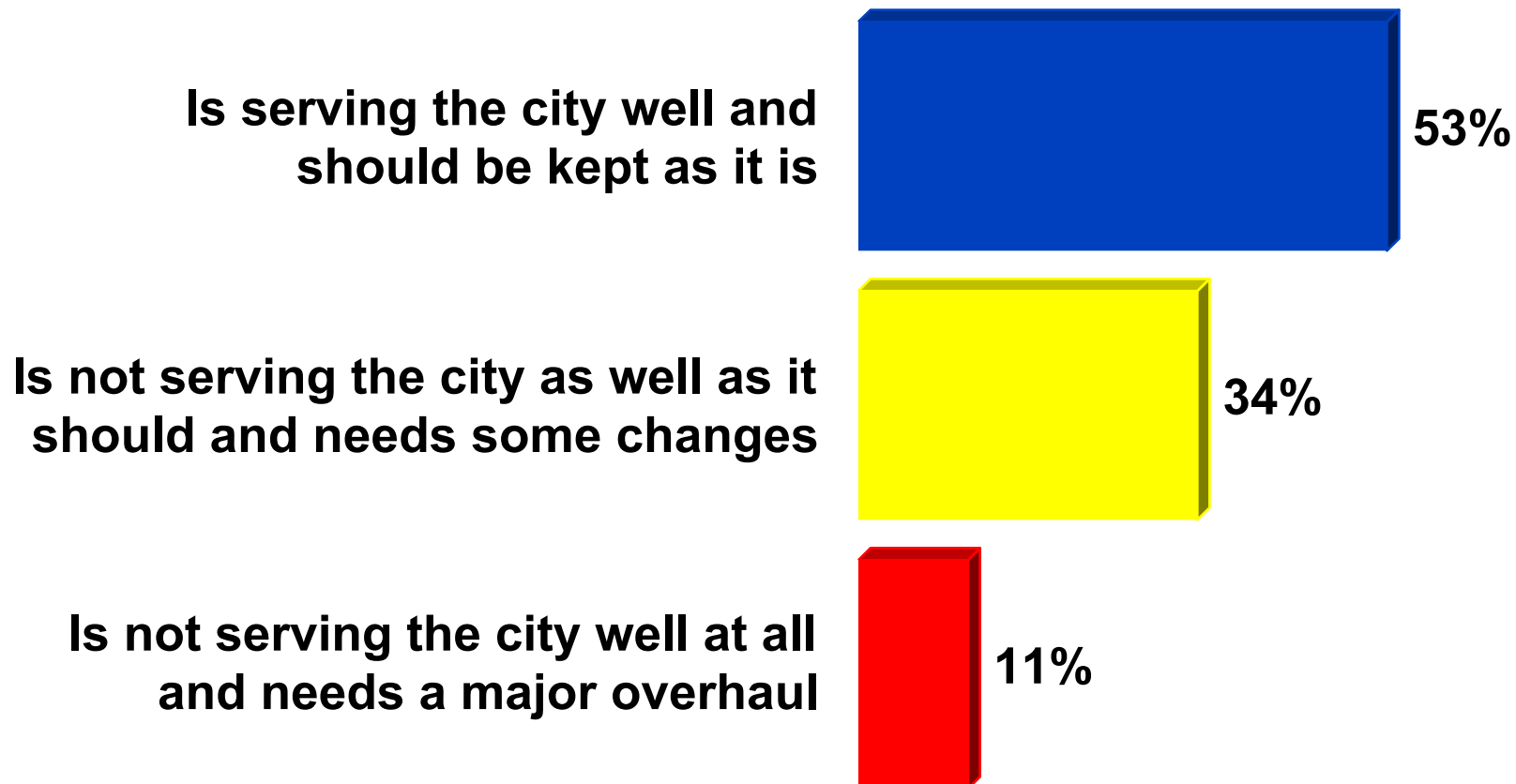
*Now, as you may know, Cincinnati City Council members are paid \$57,000 annually.
Do you think that is too much, not enough or about right?*



Voters are more status-quo oriented on the question of changing the system for electing City Council.

Half of those polled believe the system of electing Council members at-large should be kept as it is.

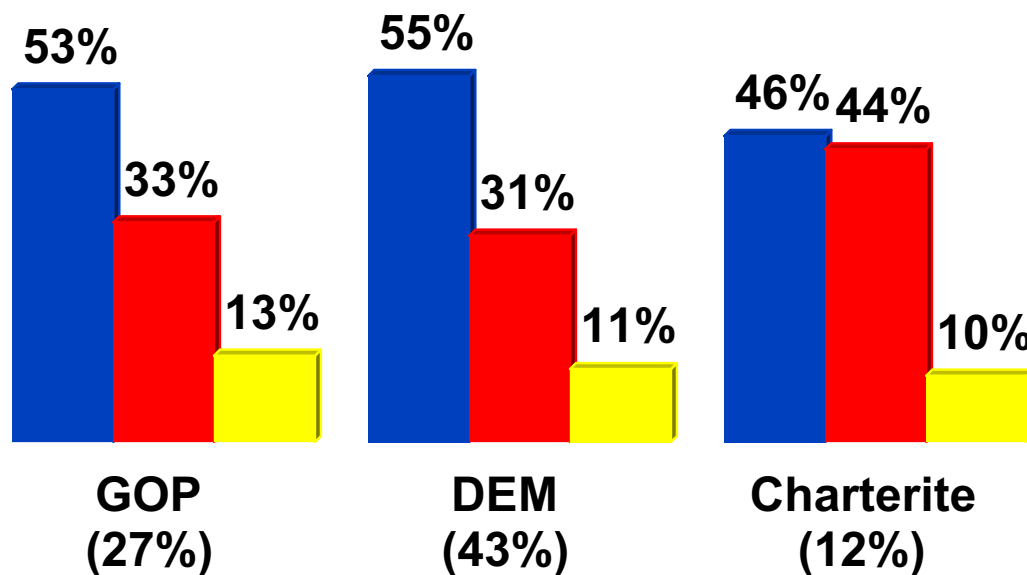
Now, as you know, the Cincinnati City Council is comprised of nine City Council members, all of whom are elected at-large, that is, by all voters in the city. Do you believe that the current system of electing all nine members of the City Council at-large...



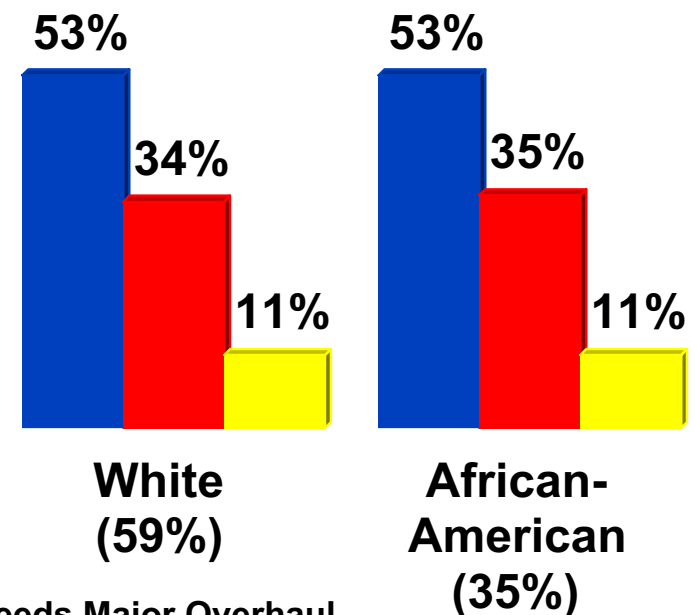
The "status quo" sentiment is softest among Charterites.

Electing Council Members At-Large

*By Local Election
Party ID*



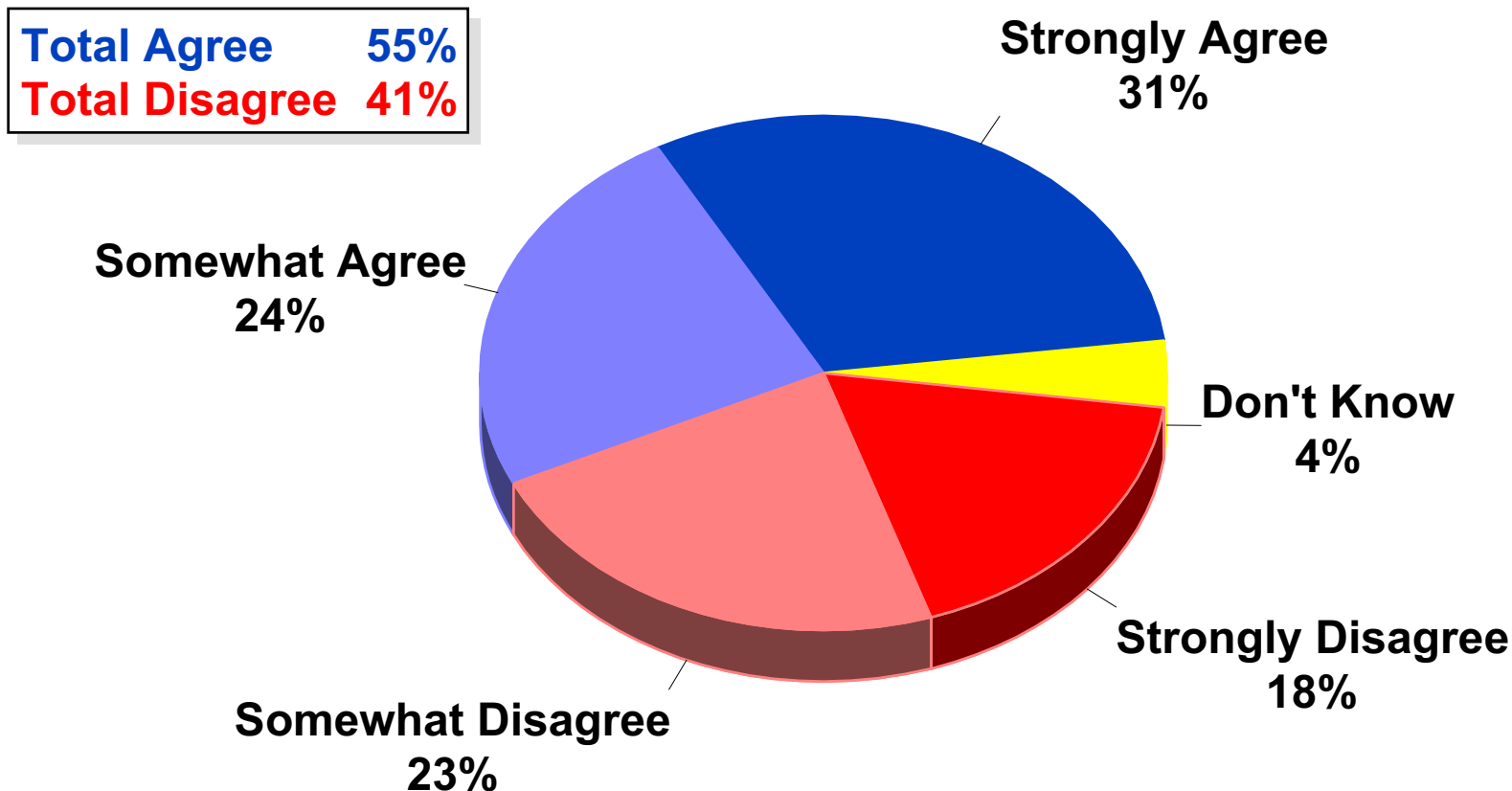
By Race



■ Kept As Is ■ Needs Some Changes ■ Needs Major Overhaul

Yet, despite the sentiment to keep things as they are, a majority of voters agree that the current system makes it difficult to hold individual members accountable.

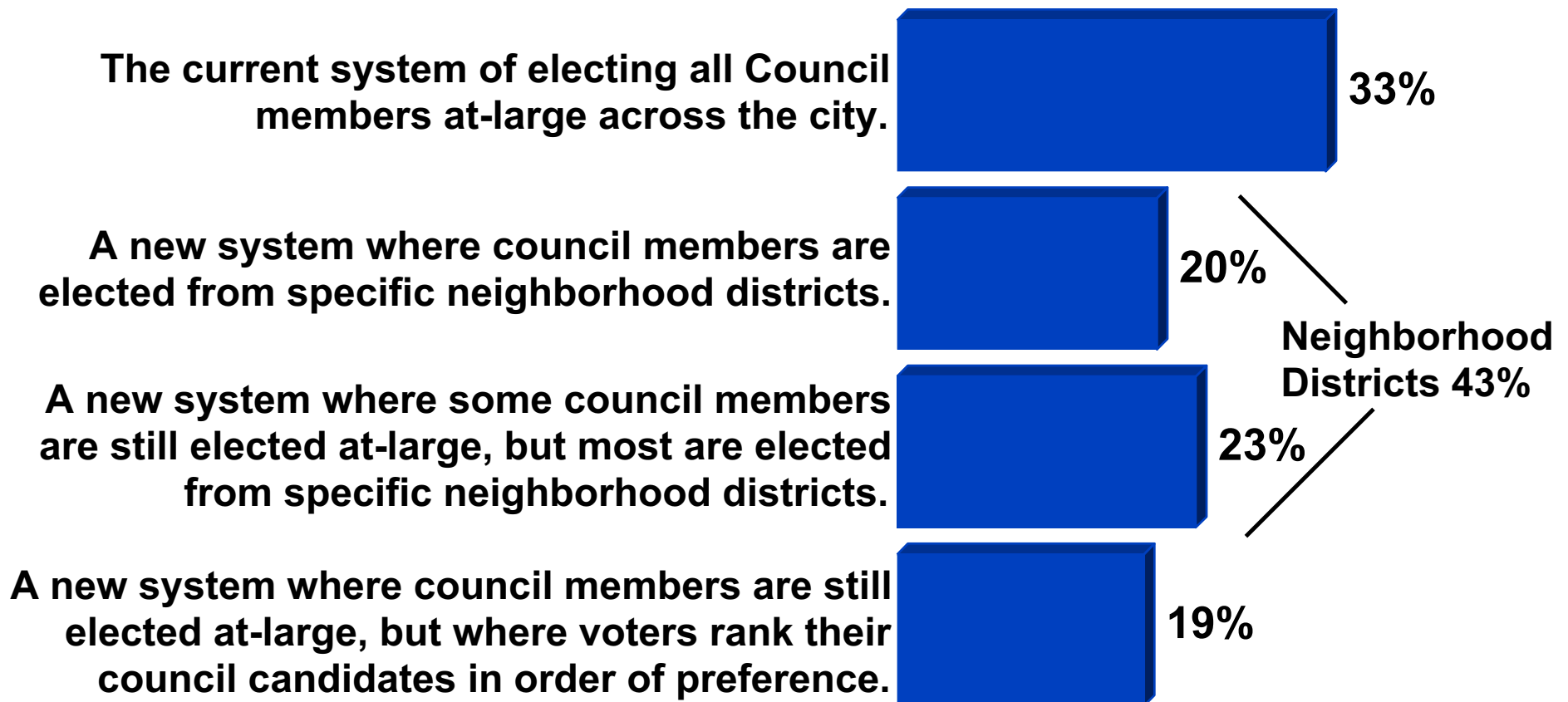
Now, please tell me whether you agree or disagree with the following statement: The city's current system of electing city council members at-large makes it difficult for residents to hold individual members accountable for their actions and leaves many neighborhoods without an advocate on City Council.



Despite the general sense from voters of satisfaction with the current system of electing City Council members, there is openness to neighborhood districts.

From four choices, just one-third prefer the current system of electing Council Members.

And, which one of the following ways of electing the city's City Council do you believe would provide the city with leadership and a strong neighborhood voice?



Voters reject a proposal for a fifteen member district-only City Council.

A proposal that calls for fifteen council members to be elected, with all fifteen being elected from specific neighborhood districts, with each district including about 22,000 people. Under this proposal, council salaries would be reduced so that the cost of City Council would not increase.

Total Favor	30%
Total Oppose	67%

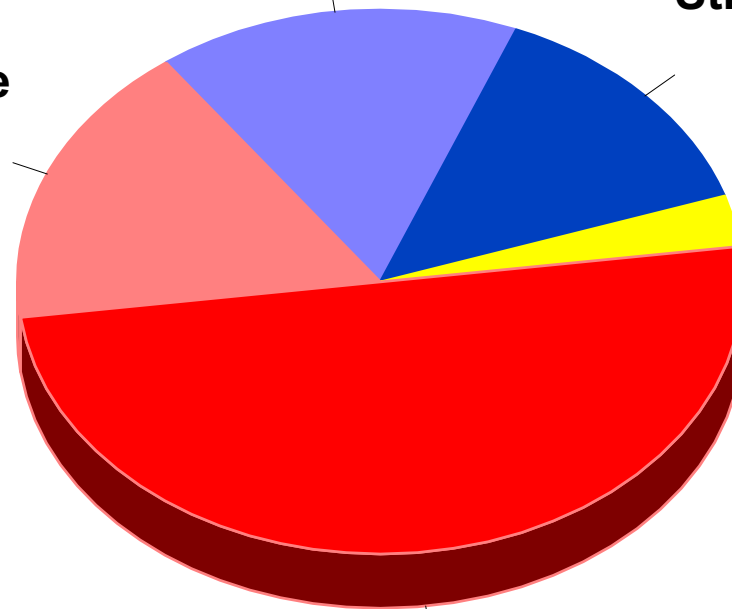
Somewhat Oppose
17%

Somewhat Favor
16%

Strongly Favor
14%

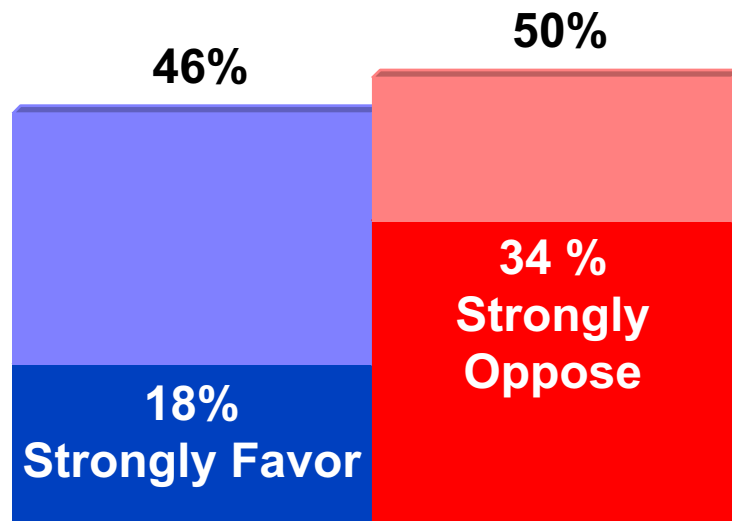
Don't Know
3%

Strongly Oppose
50%

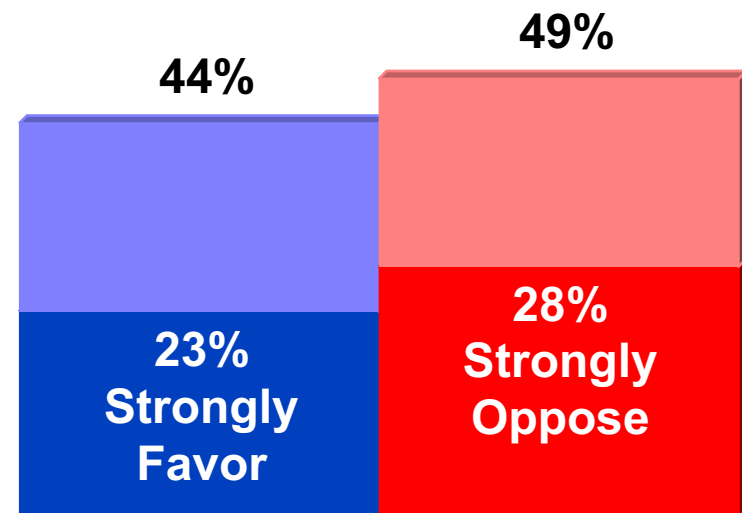


Voter attitudes are divided on two other neighborhood district proposals.

A proposal that calls for nine council members to be elected, three who would be elected city-wide, and six others from specific neighborhood districts, with each district including about 55,000 people.



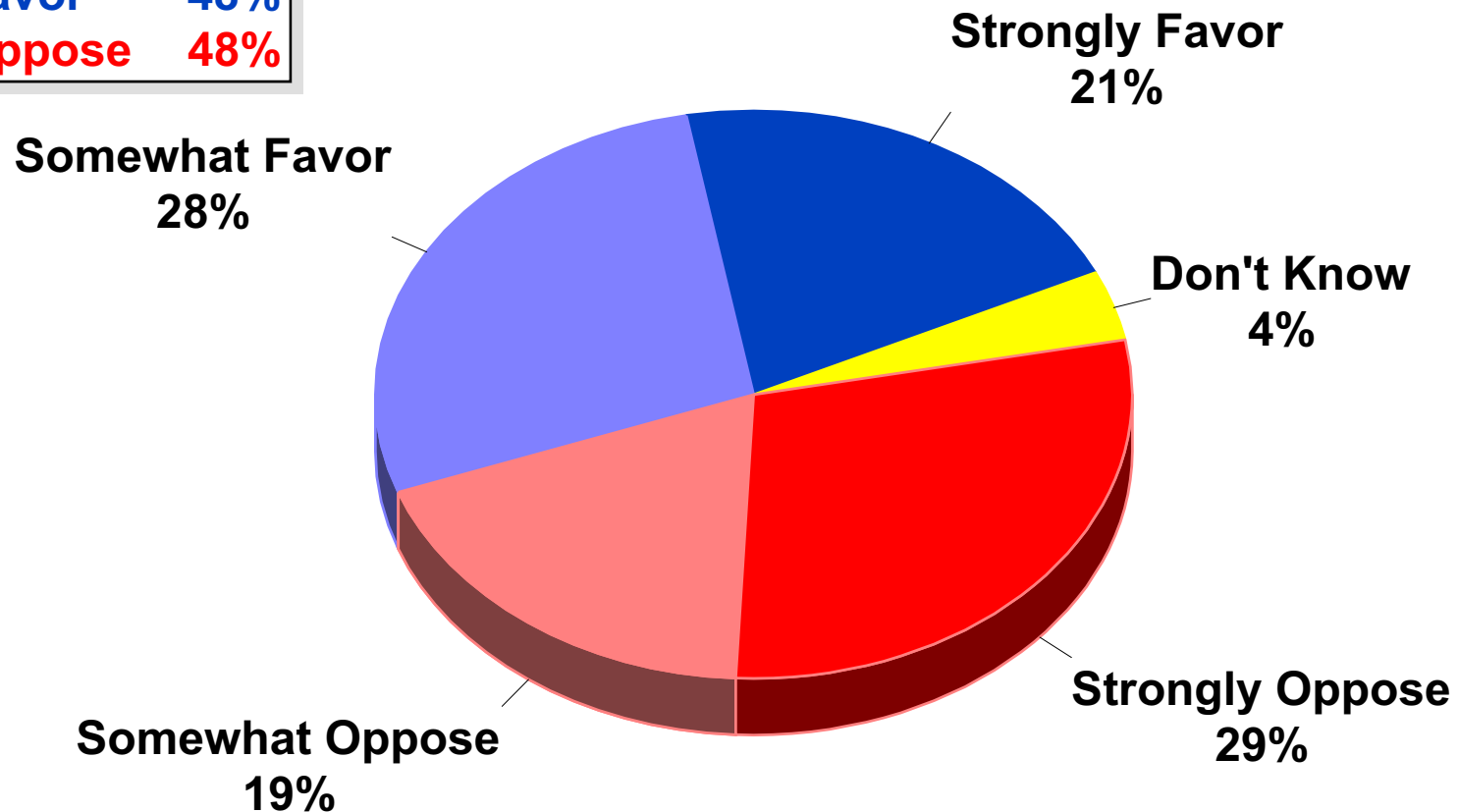
A proposal that calls for nine council members to be elected, with all nine being elected from specific neighborhood districts, with each district including about 36,000 people.



And, voters are also open to a proportional representation system.

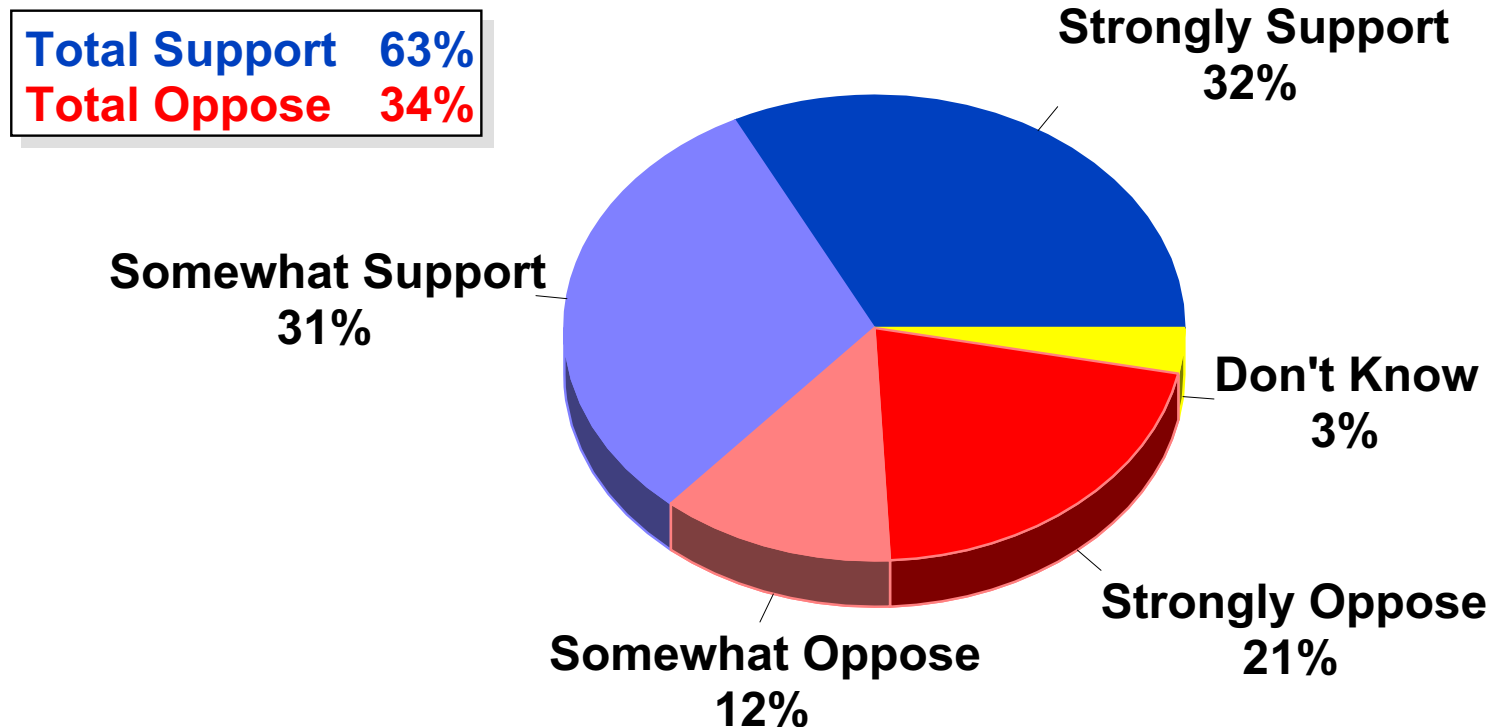
A proposal that calls for nine council members to be elected city-wide, where voters rank their council candidates in order of preference and votes are tabulated based on each candidate's ranking among all voters.

Total Favor	48%
Total Oppose	48%



Support for all of these City Council proposals falls short of the system described in our December 1998 poll.

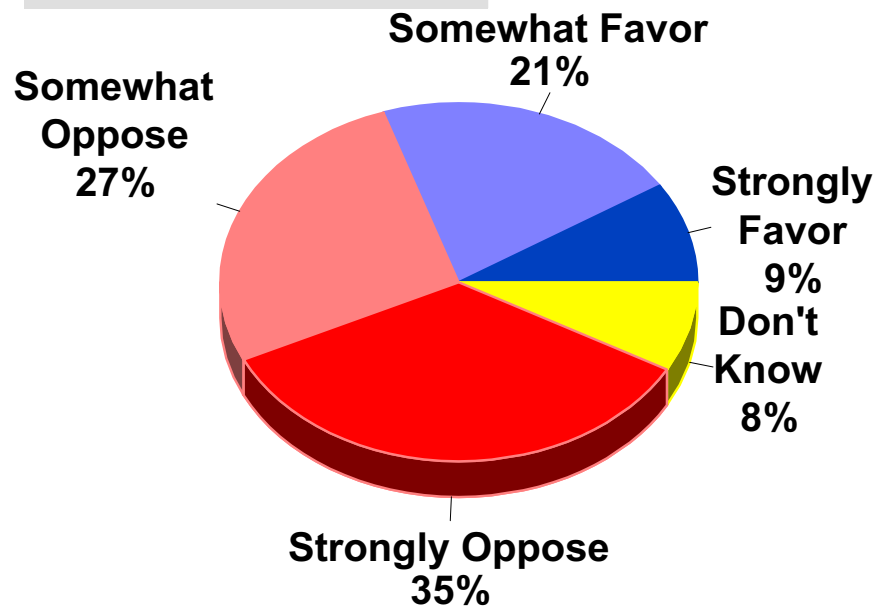
Now, as you probably know, Cincinnati has nine City Council people who all run city-wide, or at-large. There is another part of this proposal we are discussing which changes the way City Council is elected so that there would be just three at-large City Council seats, and eight others would be elected from specific neighborhood districts, with each district including about 40,000 people. If you had to vote today, would you support or oppose this proposal dealing with City Council?



There is little support for a "top vote-getter" proposal for neighborhood seats, and some division on non-partisan primaries.

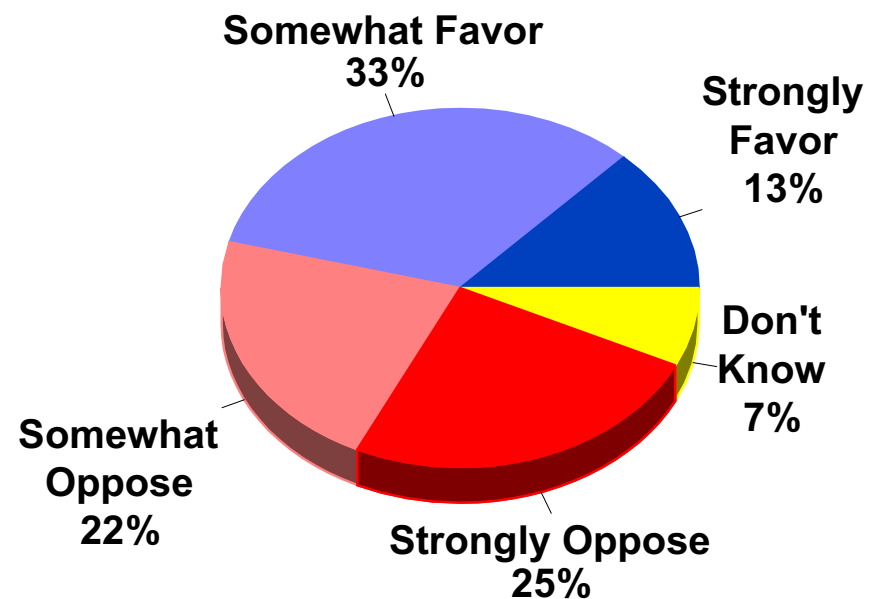
Under this proposal, all of the candidates for both the at-large seats and the neighborhood seats would run in the general election, with the top vote-getter in each race winning the seat, even if the candidate received less than 50% of the votes cast. Do you favor or oppose this aspect of the proposal?

Total Favor 30%
Total Oppose 62%



Under this (first/next) proposal, candidates for both the at-large seats and the neighborhood seats would run in non-partisan primaries, with the top two candidates in each race facing off in the general election, similar to the way the Mayor is elected. Do you favor or oppose this aspect of the proposal?

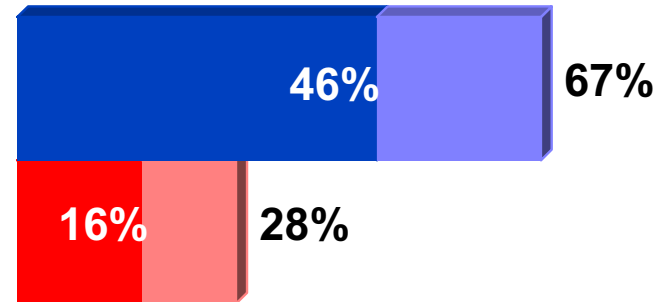
Total Favor 46%
Total Oppose 47%



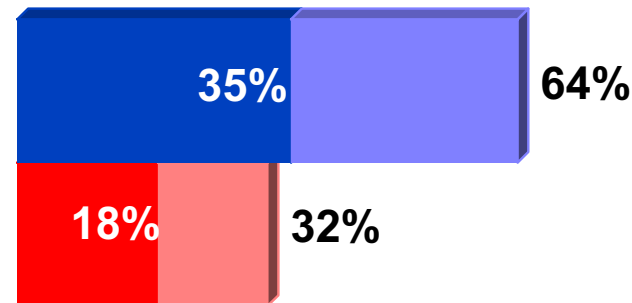
Despite a lack of support given these proposals, voters agree they increase the accountability of City Council members and give neighborhoods better representation.

Now, please tell me if you agree or disagree with each of the following statements regarding the establishment of neighborhood city council districts.

It increases the accountability of individual City Council members to the voters.



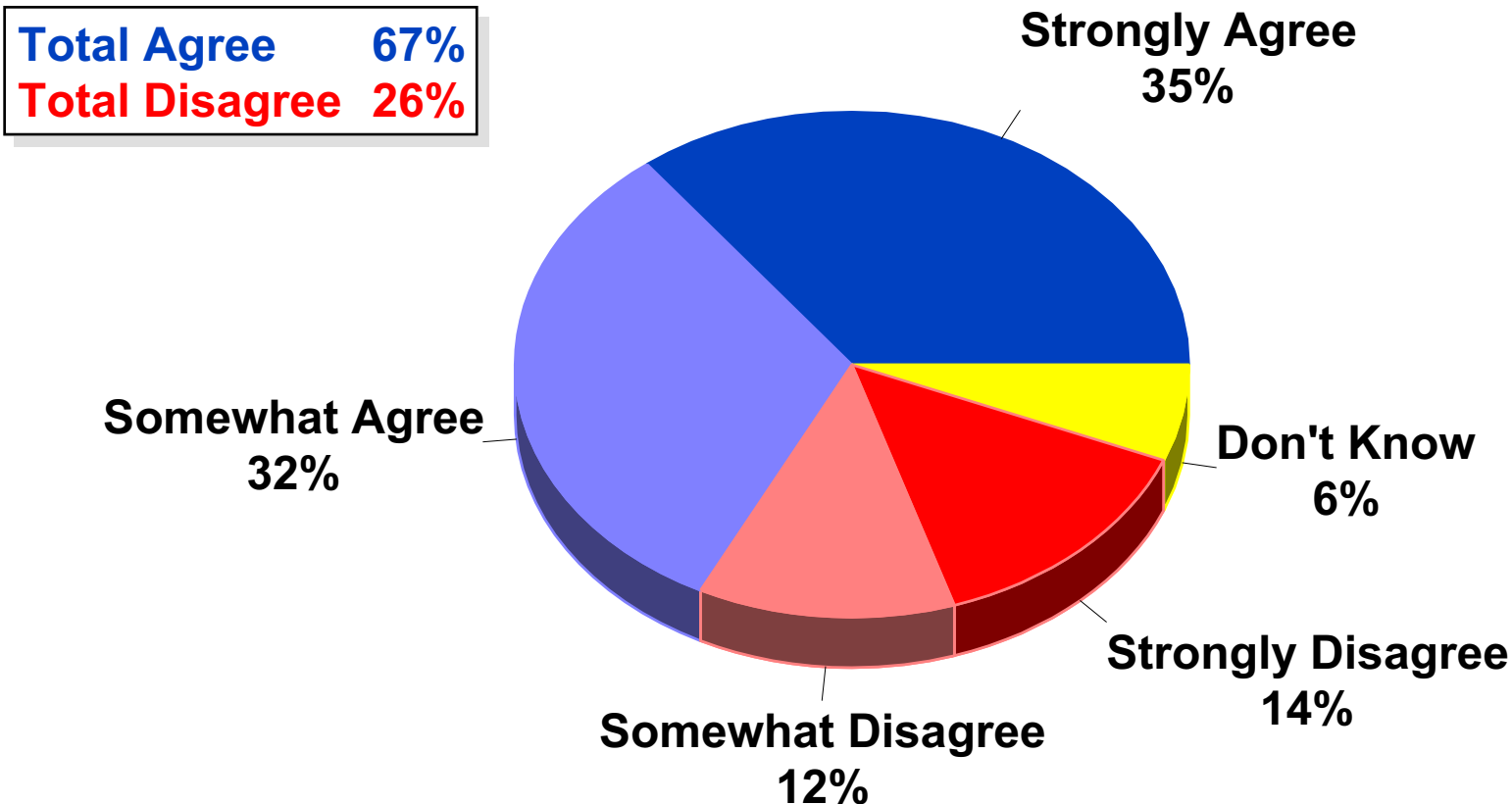
This proposal would give neighborhoods better representation because they would have their own City Council member.



■ Strongly Agree ■ Somewhat Agree
■ Strongly Disagree ■ Somewhat Disagree

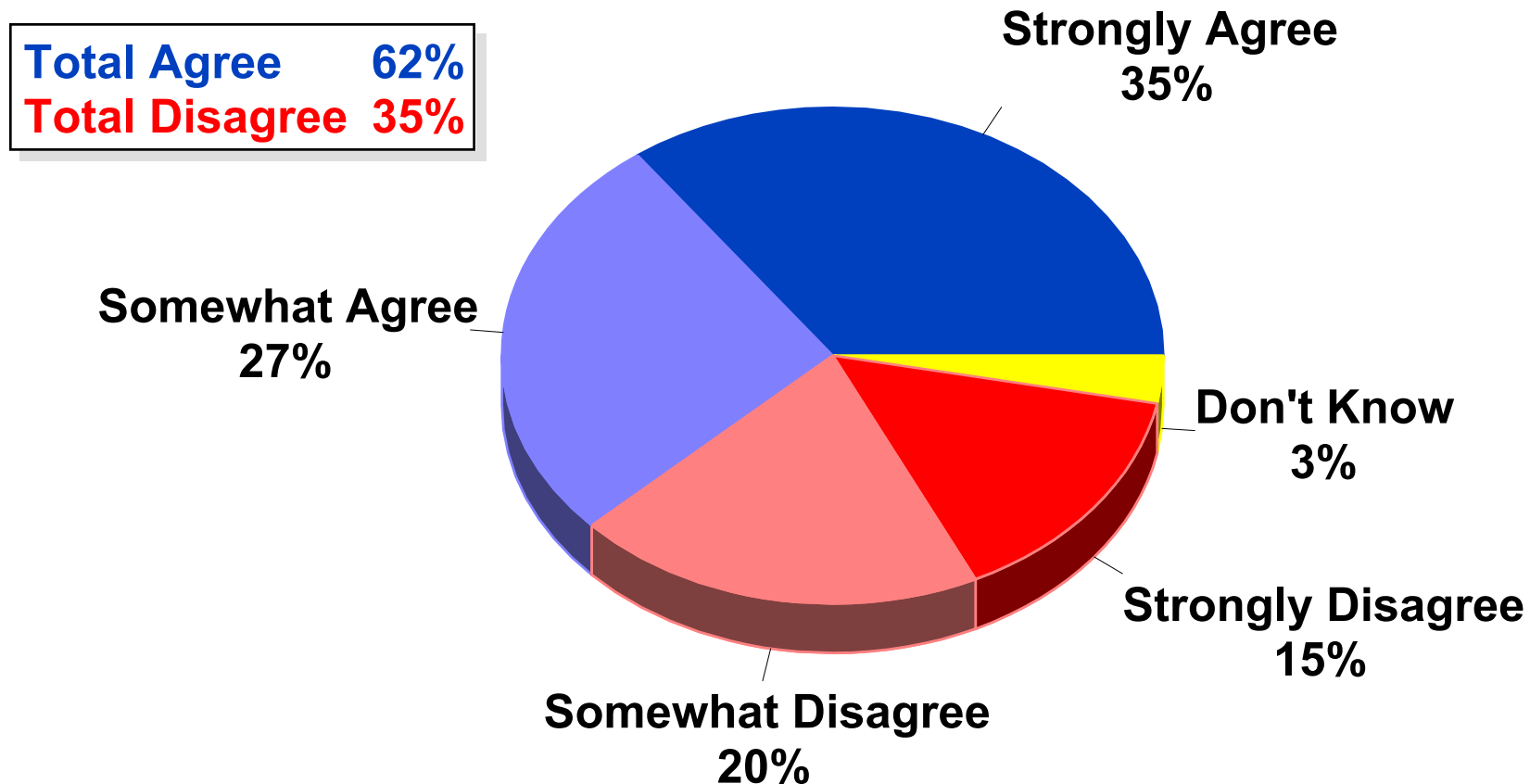
Further, voters believe the proposal would cut the cost of campaigning and lessen the influence of special interest groups.

This proposal would cut the cost of campaigning for city council seats, lessening the influence of special interests and making it possible for a wider variety of people to run for office.



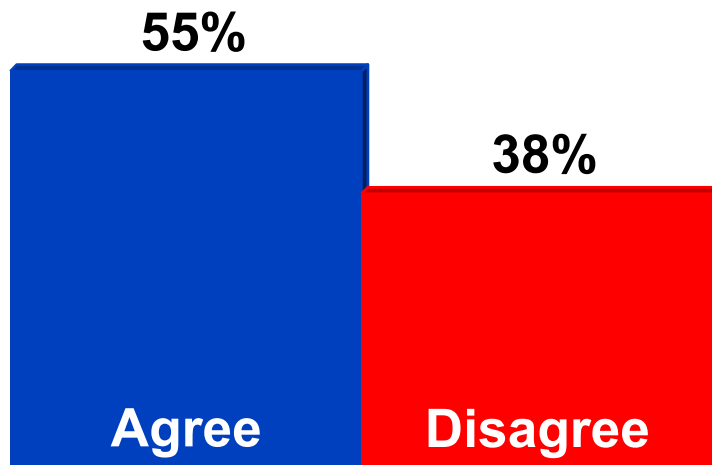
But, there is also a sense that the districts might increase City Council bickering.

It would increase the bickering in City Council as members would fight for the interests of their own districts.

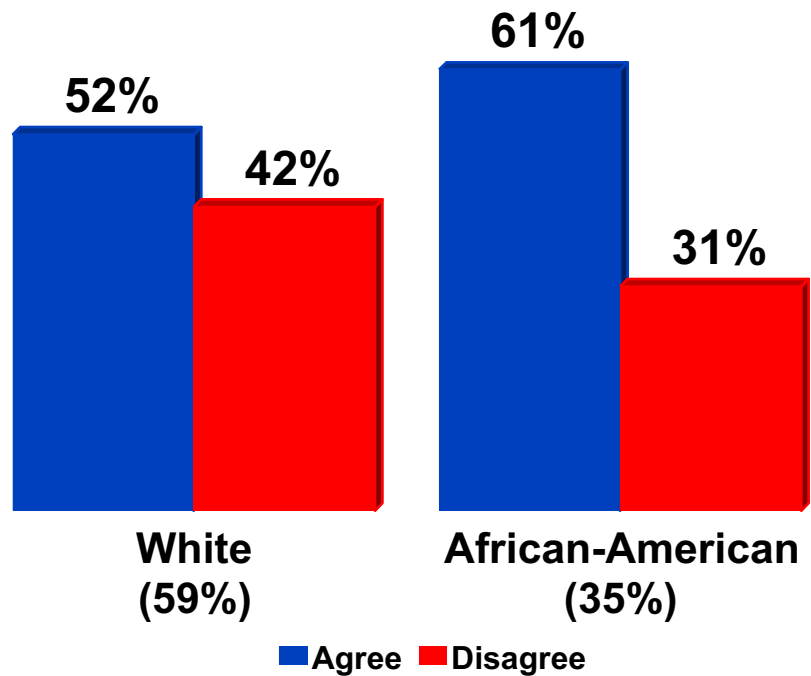


And, voters generally believe the proposals would increase the likelihood of more minority representation on City Council.

It would increase the likelihood of more minority representation on City Council.



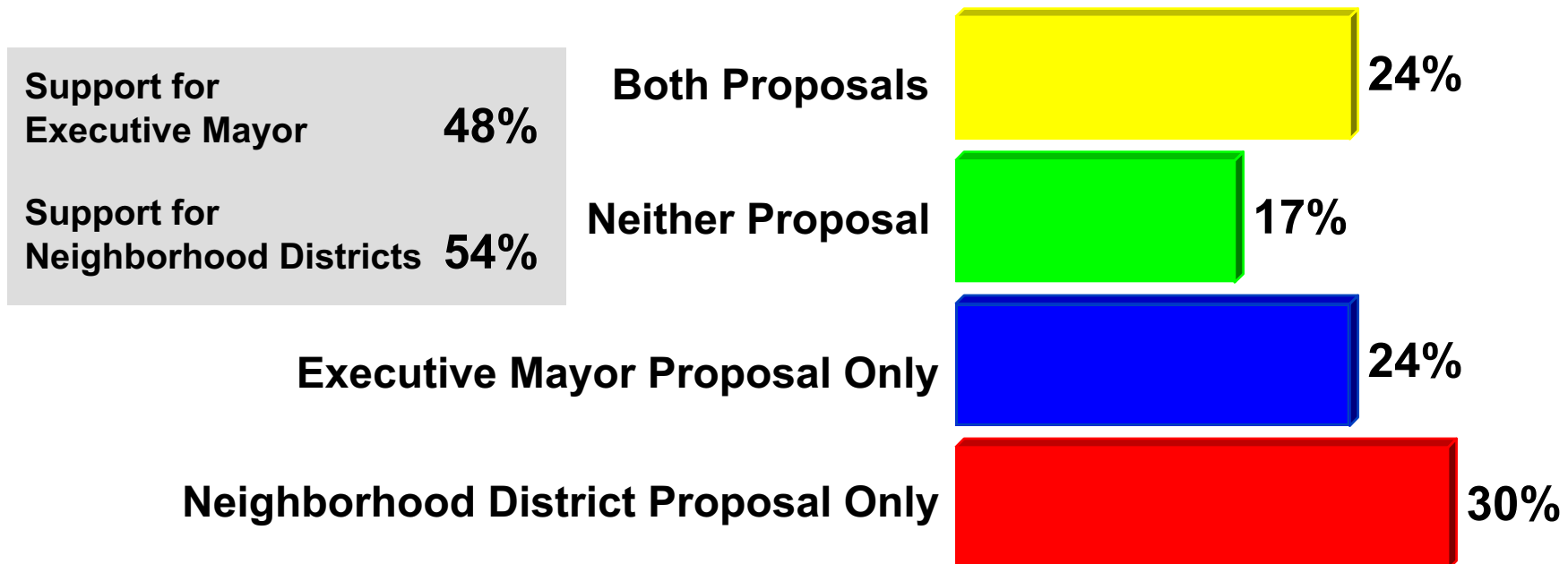
By Race



Despite voters' overall positive sentiment regarding the responsiveness of City Council, there is greater support for the neighborhood district proposal than the executive mayor proposal.

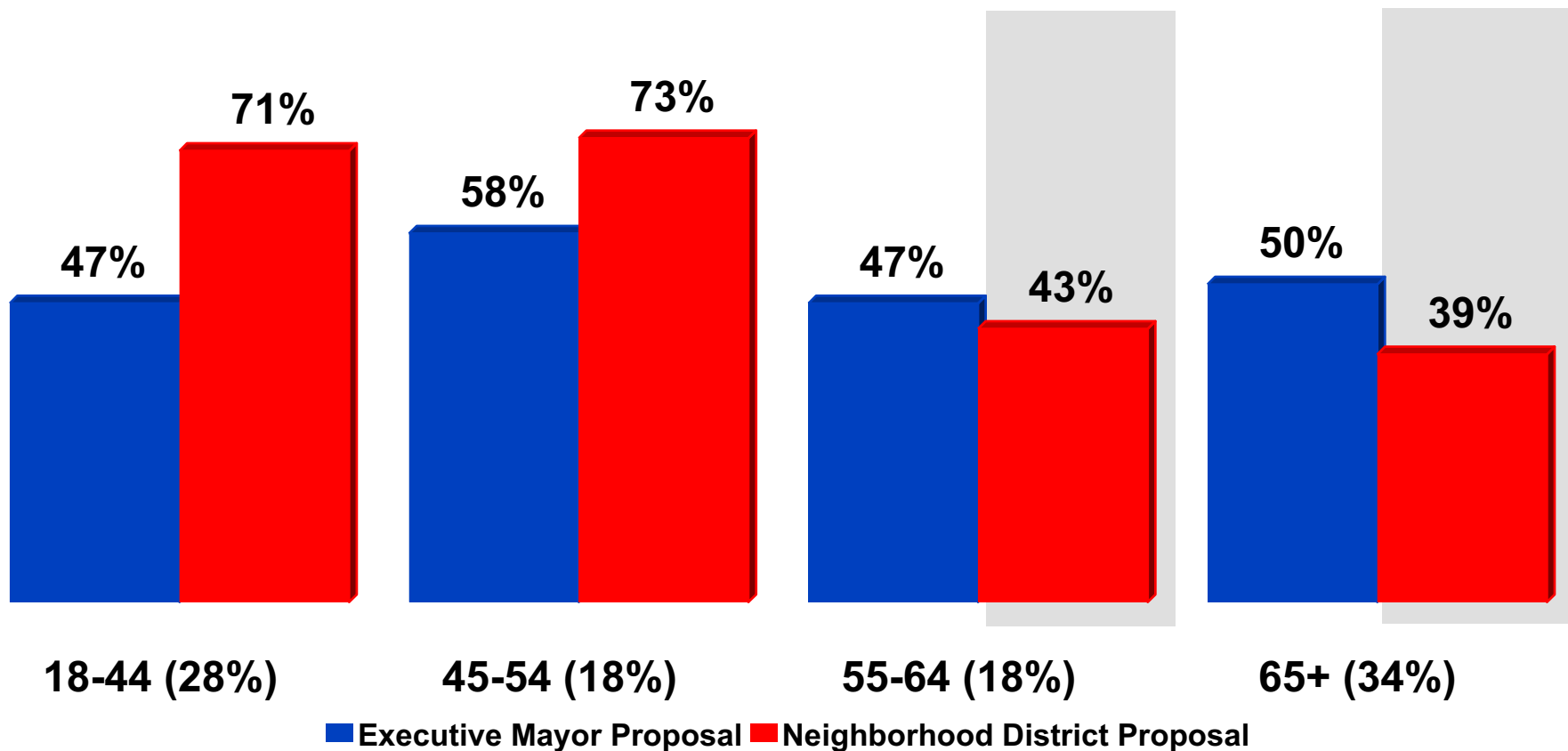
The neighborhood proposal wins majority support from voters, while the executive Mayor proposal falls a little short.

Now, through the course of the interview we've discussed two different ways to change the form of government here in Cincinnati... The first has to do with providing the Mayor with more power to run city government and the second has to do with changing the way the city council is elected to provide more neighborhood representation. If the election were being held today, would you vote for both the executive mayor proposal AND the neighborhood district proposal, neither proposal, or just one of the two proposals?



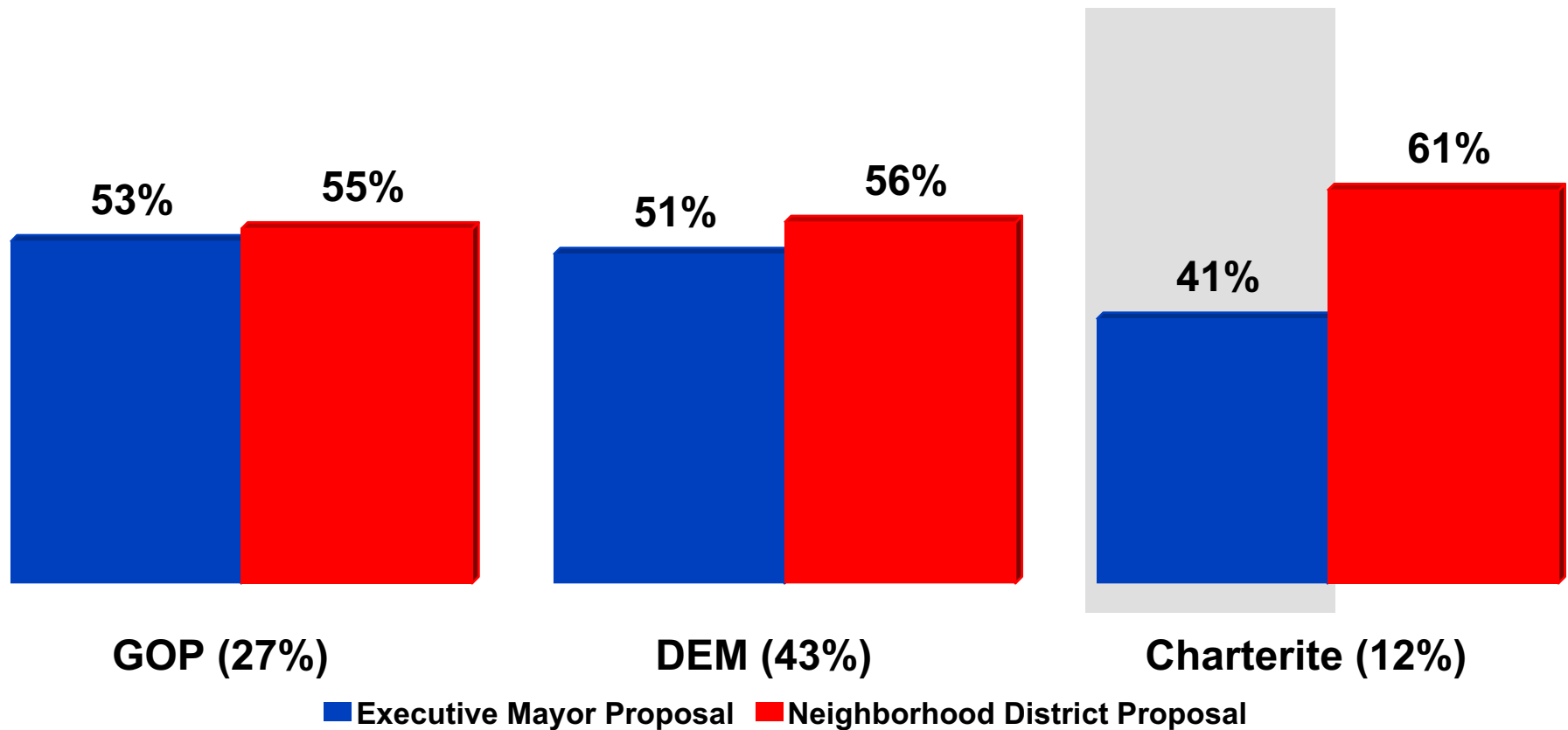
The neighborhood district proposal falls short with older voters.

*Ways to Change the Form of Government
By Age*



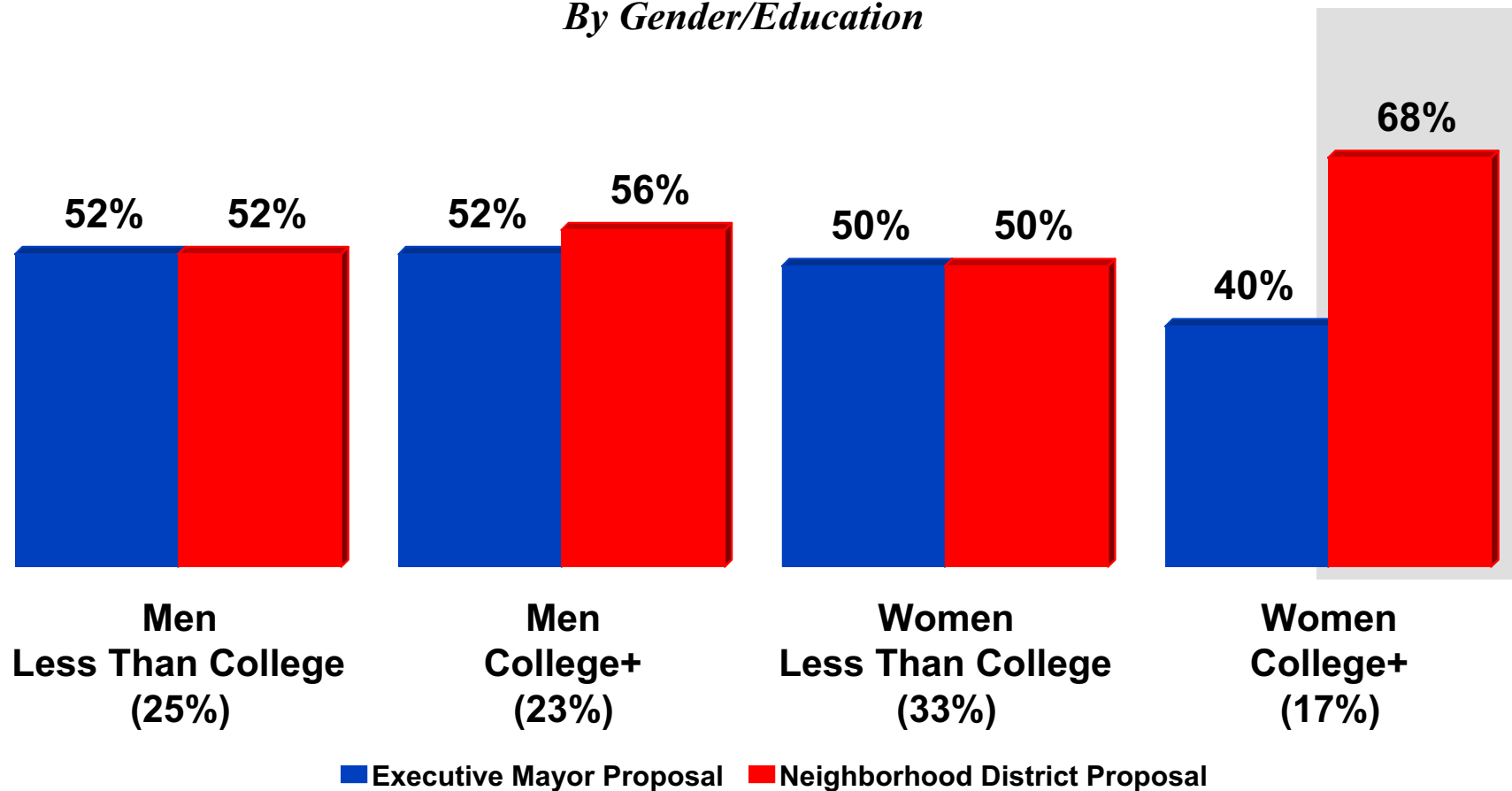
The executive mayor proposal falls short with Charterites.

*Ways to Change the Form of Government
By Local Election Party ID*



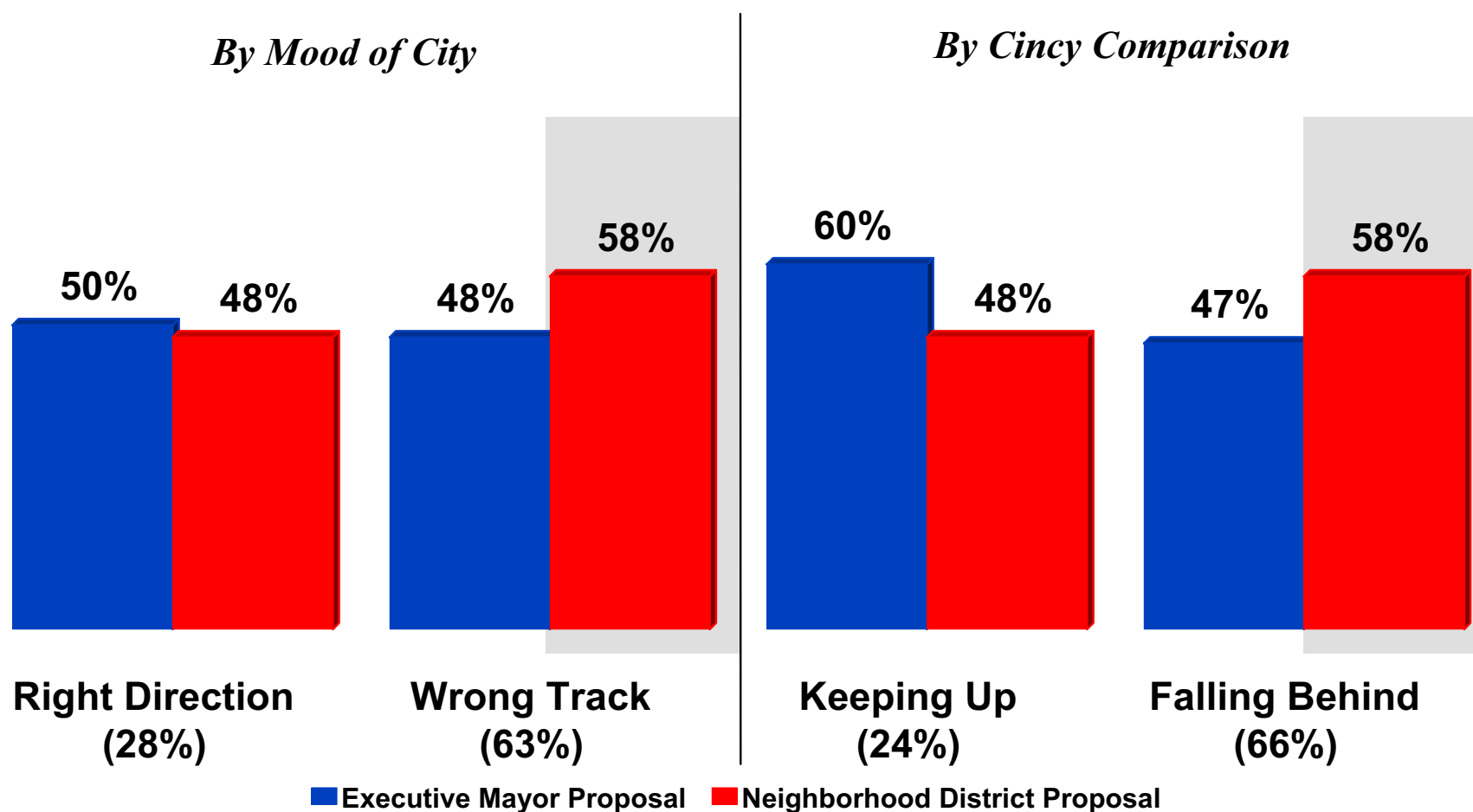
Interestingly, college educated women strongly prefer the neighborhood proposal over the executive mayor.

*Ways to Change the Form of Government
By Gender/Education*



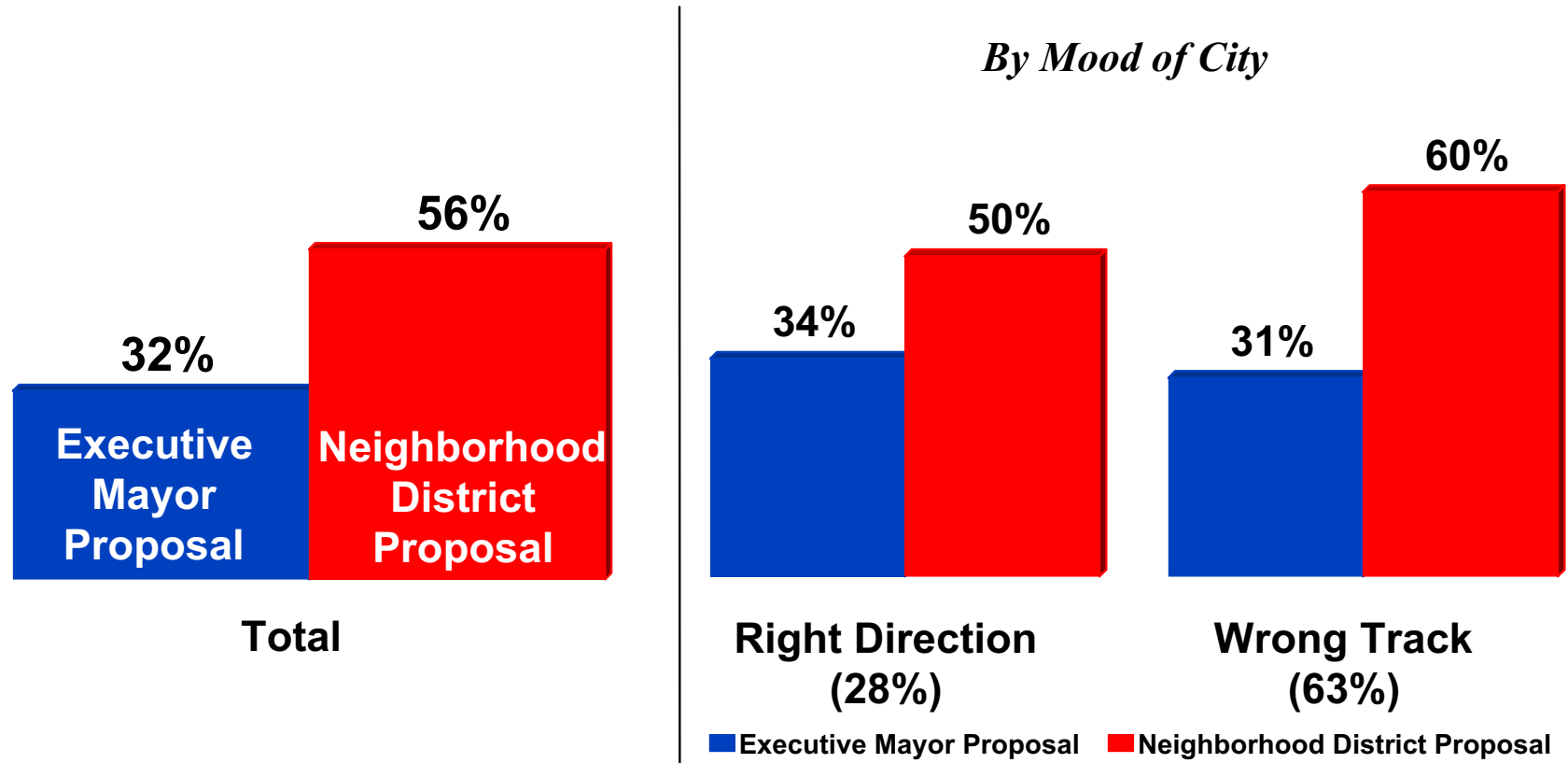
And, voters who believe the city is off on the wrong track as well as those who say the city is falling behind support the neighborhood district proposal over the executive mayor.

Ways to Change the Form of Government



Not surprisingly, a wide majority of voters believe the neighborhood district proposal would do the most for getting the city on the right track.

And, which proposed change do you believe would do the most to get Cincinnati on the right track, the executive mayor proposal or the neighborhood district proposal?



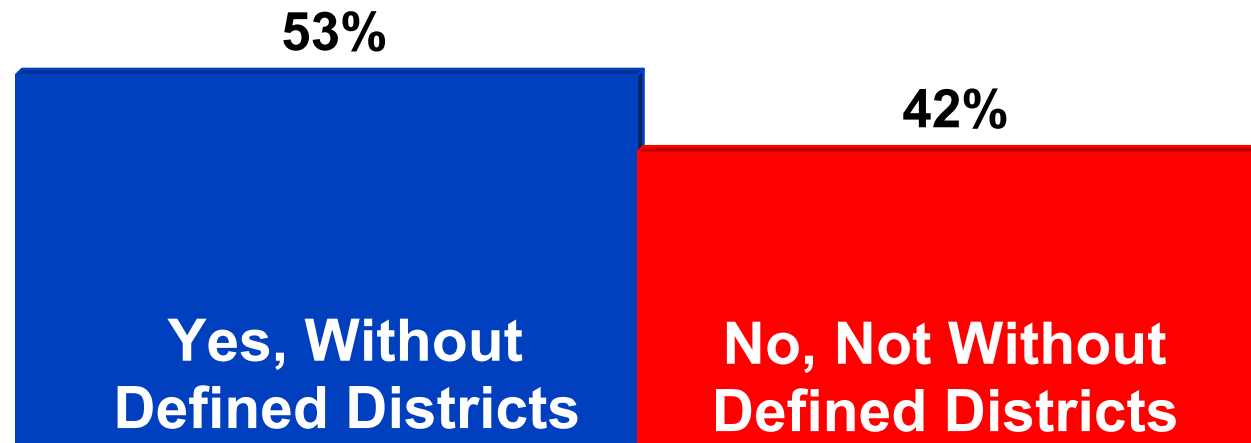
But, the neighborhood district proposal loses support if the districts aren't defined at the time of the vote.

ASKED OF THOSE VOTING BOTH OR NEIGHBORHOOD PROPOSAL ONLY (54%)

And, thinking about a neighborhood district proposal for city council, would you still vote for a neighborhood district proposal, even if the districts had not yet been defined, but would be determined at a later date through a non-partisan district selection process?

% of Total Sample

Yes, Without Defined Districts	29%
No, Not Without Defined Districts	23%



NEIL NEWHOUSE

Partner • newhouse@pos.org



www.pos.org

*277 S. Washington Street • Suite 320 • Alexandria, Virginia 22314
Phone (703) 836-7655 • Fax (703) 836-8117*

CINCINNATI CHARTER CHANGE POLL

January 13-14, 2004
Project: #04022

N=300 Registered Voters
Margin of Error = $\pm 5.66\%$

1. Generally speaking, would you say that things in Cincinnati are going in the right direction, or have they pretty seriously gotten off on the wrong track?

<u>10/97</u>	<u>10/98</u>	<u>12/98</u>	<u>3/99</u>	<u>4/99</u>	<u>9/99</u>	<u>8/01</u>	<u>10/01</u>	<u>1/04</u>	
33%	48%	49%	53%	53%	44%	27%	25%	28%	Right Direction
48%	35%	43%	38%	41%	43%	62%	59%	63%	Wrong Track
19%	13%	7%	9%	4%	12%	9%	14%	8%	No Opinion
*	4%	1%	1%	2%	1%	2%	2%	1%	Refused

<u>9/93</u>	<u>10/93</u>	<u>4/95</u>	<u>6/95</u>	<u>9/95</u>	<u>10/95</u>	<u>11/95</u>	<u>6/97</u>	
32%	27%	41%	28%	25%	30%	26%	57%	Right Direction
47%	55%	48%	63%	59%	57%	53%	32%	Wrong Track
22%	18%	11%	9%	15%	12%	20%	11%	No Opinion
*	*	*	*	*	*	1%	*	Refused

(ASKED Q2 OF SAMPLE A ONLY, N=152)

2. And, what would you say is the most important problem facing Cincinnati today, that is, the one that you, yourself, are most concerned about?

CRIME 30%

Crime 18%
 Drugs/Alcohol 3%
 Gangs/Juvenile Delinquency *
 Poor Police/Law Enforcement 5%
 Poor Courts/Judicial System --
 Other Crime 4%

ECONOMIC 14%

Economy/Recession 2%
 Inflation --
 Unemployment 3%
 Low Wages/Few Jobs 1%
 Poor Business Climate 2%
 Other Economic 6%

TAXES 4%

Local Taxes (General) --
 Property Taxes 2%
 Other Specific Local Taxes 1%
 Sales Tax --
 State Income Taxes 1%
 Tax Increases 1%
 Other Taxes --

EDUCATION 5%

Quality of Education 1%
 School Financing 1%
 Administration --
 Wasteful Spending --
 School Violence --
 Classroom Overcrowding --
 Other Education 3%

HEALTH ISSUES -

Caring for the elderly/Soc. Sec --
 Rising cost of health care --
 Hospital/Nursing Home care --
 Availability of Care --
 Poor Coverage/Benefits --
 Prescription drug costs --
 Malpractice/docs leaving state --
 Gov't Not Doing Enough --
 Other Health --

STATE/LOCAL GOVERNMENT 10%

Poor/Corrupt Leadership 3%
 Gov't Spending/Too Much --
 Gov't Spending/Wasteful 1%
 Spending on wrong priorities 1%
 Mayor 1%
 State Legislature 1%
 Budget Shortfall/Deficit 1%
 Other Government 3%
 City Council 1%
 City Charter --

GROWTH/TRANSPORTATION 1%

Too much growth/development *
 Loss of open space 1%
 Road Maintenance/Potholes --
 Traffic/Congestion --
 Need more roads --
 Other Traffic --
 Gasoline prices --
 Light Rail --
 Airports/noise --
 Buses --

ENVIRONMENT -

Water issues --
 Recycling --
 Pollution --
 Garbage/Landfills --
 Other Environment --

OTHER / SPECIFIC LOCAL ISSUES 1%

Decline in Moral Values --
 War/Peace 1%
 Terrorism --
 Bengals/Reds --
 New Stadium --

RACIAL PROBLEMS 22%

Race Riots 1%
 Race Boycott 1%
 Race Relations 20%

Other (SPECIFY) 4%
 No Problems 2%
 Don't Know 7%
 Refused --

MOST IMPORTANT PROBLEM TREND

	<u>4/95</u>	<u>9/95</u>	<u>10/95</u>	<u>6/97</u>	<u>10/97</u>	<u>12/98</u>	<u>3/99</u>	<u>4/99</u>	<u>9/99</u>	<u>8/01</u>	<u>1/04</u>
CRIME	33%	43%	33%	25%	22%	21%	20%	19%	22%	27%	30%
RACE ISSUES										27%	22%
ECONOMIC	10%	8%	6%	6%	8%	9%	8%	7%	5%	8%	14%
LOCAL GOV'T	6%	4%	6%	3%	9%	11%	12%	10%	9%	8%	10%
EDUCATION	19%	15%	23%	16%	16%	25%	27%	24%	29%	6%	5%
TAXES	4%	4%	5%	3%	9%	5%	10%	5%	5%	4%	4%
GROWTH/TRANS	1%	-	1%	3%	-	5%	3%	3%	2%	*	1%
HEALTH	-	1%	1%	-	-	3%	3%	-	3%	1%	-
ENVIRONMENT	1%	2%	1%	1%	1%	-	1%	1%	1%	1%	-
STADIUM	-	-	-	3%	12%	7%	4%	4%	4%	-	-

3. And, do you approve or disapprove of the job the Cincinnati City Council is doing?

<u>6/98</u>	<u>8/98</u>	<u>12/98</u>	<u>8/01</u>	<u>1/04</u>	
6%	9%	8%	6%	6%	STRONGLY APPROVE
28%	35%	36%	26%	31%	SOMEWHAT APPROVE
23%	25%	27%	25%	25%	SOMEWHAT DISAPPROVE
34%	22%	26%	35%	25%	STRONGLY DISAPPROVE
8%	7%	2%	9%	12%	DON'T KNOW
1%	3%	1%	*	1%	REFUSED
34%	44%	44%	32%	37%	TOTAL APPROVE
57%	47%	53%	60%	50%	TOTAL DISAPPROVE

4. Generally speaking, do you believe that the city of Cincinnati is staying ahead of other similar areas across the country, it is keeping up with them, or is it falling behind other similar areas?

<u>12/98</u>	<u>1/04</u>	
5%	3%	STAYING AHEAD
39%	24%	KEEPING UP WITH
52%	66%	FALLING BEHIND
5%	7%	DON'T KNOW
-	1%	REFUSED

(ASKED OF THOSE WHO SAID "FALLING BEHIND" IN Q4)

5. And, what would you say are the most important reasons why you believe the city is falling behind other similar areas across the country? (Probe: What else? Please tell me more about that.)

SEE VERBATIM RESPONSES

6. And, based on what you have seen, read or heard about city government, which one of the following do you believe is MOST responsible for actually running city government...

16% The city manager
33% The Mayor
39% The City Council

4% ALL OF THEM EQUALLY
5% DON'T KNOW
2% REFUSED

7. And, which do you believe SHOULD BE MOST RESPONSIBLE for actually running city government...

19% The city manager
34% The Mayor
36% The City Council

7% ALL OF THEM EQUALLY
3% DON'T KNOW
* REFUSED

8. And, as a voter, which do you feel is most accountable to the city's voters...

7% The city manager
31% The Mayor
50% The City Council

7% ALL OF THEM EQUALLY
5% DON'T KNOW
1% REFUSED

9. Now, as you may know, under Cincinnati's current charter, the Mayor of the city is directly elected, the Mayor is responsible for picking the City Manager who is the chief executive officer of city government, and the City Manager then reports to both the Mayor and the City Council.

Do you believe that this current system is providing effective leadership to address the city's problems?

21% STRONGLY YES
22% NOT-SO-STRONGLY YES
18% NOT-SO-STRONGLY NO
31% STRONGLY NO

8% DON'T KNOW
1% REFUSED

43% TOTAL YES
49% TOTAL NO

10. Now, I'd like to read you two different opinions regarding the city's system of government and please tell me which you agree with most...

The city's current City Manager system of government works well because a professional administrator runs city government, rather than the politicians.

The city's current City Manager system does not work well because the City Manager is responsible to both the Mayor and the City Council, making it unclear who is in charge, resulting in few things getting done.

20% STRONGLY CURRENT SYSTEM WORKS WELL
18% NOT-SO-STRONGLY CURRENT SYSTEM WORKS WELL
17% NOT-SO-STRONGLY CURRENT SYSTEM DOES NOT WORK WELL
39% STRONGLY CURRENT SYSTEM DOES NOT WORK WELL

4% DON'T KNOW
1% REFUSED

38% TOTAL CURRENT SYSTEM WORKS WELL
57% TOTAL CURRENT SYSTEM DOES NOT WORK WELL

✓11. And, do you believe that the current form of city government...

- 17% Is serving the city well and should be kept as it is
- 54% Is not serving the city as well as it should and needs some changes
- 28% Is not serving the city well at all and needs a major overhaul
- 2% DON'T KNOW
- * REFUSED

Now, I'd like to tell you some information about a couple of proposals that are being considered to change the form of city government.

12. This (first/next) proposal continues to call for the direct election of the Mayor and eliminates the position of city manager, making the Mayor directly responsible for running city government.

Would you favor or oppose this proposal?

- 20% STRONGLY FAVOR
- 20% SOMEWHAT FAVOR
- 19% SOMEWHAT OPPOSE
- 39% STRONGLY OPPOSE
- 1% DON'T KNOW
- * REFUSED

40% **TOTAL FAVOR**
59% **TOTAL OPPOSE**

(ASKED SAMPLE A ONLY)

13. And, what would you say are the most important *benefits* (:1-2)/*drawbacks* (:3-4) to the city of this type of change in the form of city government? (Probe: What else? Please tell me more about that.)

RECORD VERBATIM RESPONSES



14. This (next/first) proposal continues to call for the direct election of the Mayor and makes the Mayor solely responsible for hiring and firing the City Manager, essentially making the Mayor responsible for running city government.

Would you favor or oppose this proposal?

28% STRONGLY FAVOR
23% SOMEWHAT FAVOR
16% SOMEWHAT OPPOSE
28% STRONGLY OPPOSE

5% DON'T KNOW
* REFUSED

50% TOTAL FAVOR
44% TOTAL OPPOSE

(ASKED SAMPLE B ONLY)

15. And, what would you say are the most important *benefits* (:1-2)/ *drawbacks* (:3-4) to the city of this type of change in the form of city government? (Probe: What else? Please tell me more about that.)

SEE VERBATIM RESPONSES

Now, please tell me if you agree or disagree with each of the following statements regarding these proposals to make the Mayor more directly responsible for running the city. The (FIRST/NEXT) statement is...

	TOTAL AGREE	TOTAL DISAG	STRONG AGREE	SMWT AGREE	SMWT DISAG	STRONG DISAG	D/K	REF
16. These proposals would make the Mayor more accountable to the voters. (Sample A, N=152)	76%	21%	50%	26%	8%	13%	1%	2%
17. They would give the Mayor the authority to get things done in the city. (Sample B, N=148)	72%	23%	43%	28%	6%	18%	4%	1%
18. They would give one person too much power, making it easier to corrupt city government.	53%	45%	35%	18%	21%	24%	2%	*

(ASKED Q19 OF SAMPLE A ONLY)

19. Now, on a related topic, how responsive do you feel that the City Council is to issues that concern the city? Do you feel it is...

22% VERY
 48% SOMEWHAT
 17% NOT VERY
 ...OR...
 10% NOT AT ALL

...responsive?

2% DON'T KNOW
 1% REFUSED

70% TOTAL RESPONSIVE
 28% TOTAL NOT RESPONSIVE

(ASKED Q20 OF SAMPLE B ONLY)

20. Now, how responsive do you feel that the City Council is to issues that concern you and your neighbors? Do you feel it is...

12% VERY
49% SOMEWHAT
22% NOT VERY
...OR...
14% NOT AT ALL

...responsive?

2% DON'T KNOW
- REFUSED

61% TOTAL RESPONSIVE
37% TOTAL NOT RESPONSIVE

19/20. Combined

Now, how responsive do you feel that the City Council is to issues that concern [the city/you and your neighbors]? Do you feel it is...

17% VERY RESPONSIVE
48% SOMEWHAT RESPONSIVE
20% NOT VERY RESPONSIVE
...OR...
12% NOT AT ALL RESPONSIVE

2% DON'T KNOW
* REFUSED

66% TOTAL RESPONSIVE
32% TOTAL NOT RESPONSIVE

21. And, have you ever contacted a specific member of the City Council about an issue or problem that concerned you?

34% YES
66% NO

- DON'T KNOW
- REFUSED

22. And do you believe there is a member of the City Council who really stands up for the concerns and problems in your specific neighborhood or community?

50% YES

39% NO

11% DON'T KNOW

* REFUSED

23. Now, as you may know, Cincinnati City Council members are paid \$57,000 annually. Do you think that is too much, not enough or about right?

18% TOO MUCH

7% NOT ENOUGH

68% ABOUT RIGHT

6% DON'T KNOW

1% REFUSED

24. Now, as you know, the Cincinnati City Council is comprised of nine City Council members, all of whom are elected at-large, that is, by all voters in the city. Do you believe that the current system of electing all nine members of the City Council at-large...

53% Is serving the city well and should be kept as it is

34% Is not serving the city as well as it should and needs some changes

11% Is not serving the city well at all and needs a major overhaul

2% DON'T KNOW

- REFUSED

25. Now, please tell me whether you agree or disagree with the following statement:

The city's current system of electing city council members at-large makes it difficult for residents to hold individual members accountable for their actions and leaves many neighborhoods without an advocate on City Council.

31% STRONGLY AGREE
24% SOMEWHAT AGREE
23% SOMEWHAT DISAGREE
18% STRONGLY DISAGREE

4% DON'T KNOW
- REFUSED

55% **TOTAL AGREE**
41% **TOTAL DISAGREE**

26. And, which one of the following ways of electing the city's City Council do you believe would provide the city with leadership and a strong neighborhood voice?

33% The current system of electing all Council members at-large across the city.
20% A new system where council members are elected from specific neighborhood districts.
23% A new system where some council members are still elected at-large, but most are elected from specific neighborhood districts.
19% A new system where council members are still elected at-large, but where voters rank their council candidates in order of preference.
4% DON'T KNOW
1% REFUSED

Now, I'd like to tell you some information about some specific proposals that are being considered to change the way City Council is elected from all nine members being elected at large by all voters in the city, and please tell me whether you would favor or oppose each one... The first/next one is...

	TOTAL FAVOR	TOTAL OPPOSE	STRONG FAVOR	SMWT FAVOR	SMWT OPPOSE	STRONG OPPOSE	D/K	REF
27. A proposal that calls for nine council members to be elected, three who would be elected city-wide, and six others from specific neighborhood districts, with each district including about 55,000 people.	47%	50%	18%	28%	16%	34%	3%	1%
28. A proposal that calls for nine council members to be elected, with all nine being elected from specific neighborhood districts, with each district including about 36,000 people.	44%	50%	23%	21%	21%	28%	4%	2%
29. A proposal that calls for fifteen council members to be elected, with all fifteen being elected from specific neighborhood districts, with each district including about 22,000 people. Under this proposal, council salaries would be reduced so that the cost of City Council would not increase.	30%	67%	14%	16%	17%	50%	3%	—
Y1. A proposal that calls for nine council members to be elected city-wide, where voters rank their council candidates in order of preference and votes are tabulated based on each candidate's ranking among all voters.	48%	48%	21%	28%	19%	29%	3%	1%

Asked in 12/98:

Now, as you probably know, Cincinnati has nine City Council people who all run city-wide, or at-large. There is another part of this proposal we are discussing which changes the way City Council is elected so that there would be just three at-large City Council seats, and eight others would be elected from specific neighborhood districts, with each district including about 40,000 people.

If you had to vote today, would you support or oppose this proposal dealing with City Council?

32% **STRONGLY SUPPORT**
 31% **SOMEWHAT SUPPORT**
 13% **SOMEWHAT OPPOSE**
 21% **STRONGLY OPPOSE**
 3% **UNDECIDED**
 — **REFUSED**

63% **TOTAL SUPPORT**
 34% **TOTAL OPPOSE**

Now, I'd like to tell you a little more about a couple of the neighborhood district proposals.

30. Under this (first/next) proposal, candidates for both the at-large seats and the neighborhood seats would run in non-partisan primaries, with the top two candidates in each race facing off in the general election, similar to the way the Mayor is elected. Do you favor or oppose this aspect of the proposal?

13% STRONGLY FAVOR
33% SOMEWHAT FAVOR
22% SOMEWHAT OPPOSE
25% STRONGLY OPPOSE

6% DON'T KNOW
1% REFUSED

46% **TOTAL FAVOR**
47% **TOTAL OPPOSE**

31. Under this (first/next) proposal, all of the candidates for both the at-large seats and the neighborhood seats would run in the general election, with the top vote-getter in each race winning the seat, even if the candidate received less than 50% of the votes cast. Do you favor or oppose this aspect of the proposal?

9% STRONGLY FAVOR
21% SOMEWHAT FAVOR
27% SOMEWHAT OPPOSE
35% STRONGLY OPPOSE

7% DON'T KNOW
1% REFUSED

30% **TOTAL FAVOR**
62% **TOTAL OPPOSE**

Now, please tell me if you agree or disagree with each of the following statements regarding the establishment of neighborhood city council districts. The (FIRST/NEXT) statement is...

Ranked by Percent Strongly Agree

	TOTAL AGREE	TOTAL DISAG	STRONG AGREE	SMWT AGREE	SMWT DISAG	STRONG DISAG	D/K	REF
35. It increases the accountability of individual City Council members to the voters. (<i>Sample A, N=152</i>)								
1/04	67%	29%	46%	21%	12%	16%	3%	1%
12/98	80%	19%	51%	29%	11%	8%	1%	1%
32. This proposal would give neighborhoods better representation because they would have their own City Council member. (<i>Sample A, N=152</i>)								
1/04	64%	34%	35%	29%	14%	20%	2%	1%
12/98	81%	18%	57%	24%	8%	10%	1%	-
33. This proposal would cut the cost of campaigning for city council seats, lessening the influence of special interests and making it possible for a wider variety of people to run for office. (<i>Sample B, N=148</i>)								
1/04	67%	26%	35%	32%	12%	14%	5%	1%
12/98	76%	23%	44%	32%	9%	14%	2%	-
36. It would increase the bickering in City Council as members would fight for the interests of their own districts. (<i>Sample B, N=148</i>)								
1/04	62%	35%	35%	27%	20%	15%	1%	2%
*12/98	50%	49%	25%	25%	28%	21%	2%	-
34. It would increase the likelihood of more minority representation on City Council.								
1/04	55%	38%	31%	24%	14%	24%	6%	1%
12/98	67%	30%	34%	33%	19%	11%	4%	1%

**In 12/98 Q36 read: It would pit city council members against one-another as they fought for the interests of their own districts rather than the overall good of the city.*

37. Now, through the course of the interview we've discussed two different ways to change the form of government here in Cincinnati... The first has to do with providing the Mayor with more power to run city government and the second has to do with changing the way the city council is elected to provide more neighborhood representation.

If the election were being held today, would you vote for both the executive mayor proposal AND the neighborhood district proposal, neither proposal, or just one of the two proposals?

24%	BOTH PROPOSALS
17%	NEITHER PROPOSAL
24%	EXECUTIVE MAYOR PROPOSAL ONLY
30%	NEIGHBORHOOD DISTRICT PROPOSAL ONLY
3%	DON'T KNOW
1%	REFUSED

38. And, which proposed change do you believe would do the most to get Cincinnati on the right track, the executive mayor proposal or the neighborhood district proposal?

32%	EXECUTIVE MAYOR PROPOSAL
56%	NEIGHBORHOOD DISTRICT PROPOSAL
1%	BOTH
8%	NEITHER
2%	DON'T KNOW
1%	REFUSED

Asked 12/98:

And, which aspect of this proposal do you think would do more to help the city of Cincinnati — the direct election of a strong mayor, or the establishment of neighborhood city council districts?

49%	DIRECT ELECTION OF STRONG MAYOR
43%	NEIGHBORHOOD CITY COUNCIL DISTRICTS
5%	NEITHER
2%	UNDECIDED
1%	REFUSED

(ASKED Q39 IF VOTING BOTH OR NEIGHBORHOOD PROPOSAL ONLY IN Q37)

39. And, thinking about a neighborhood district proposal for city council, would you still vote for a neighborhood district proposal, even if the districts had not yet been defined, but would be determined at a later date through a non-partisan district selection process?

BASE N=163

53% YES

42% NO

6% DON'T KNOW

- REFUSED

BASE N=300

29% YES

23% NO

3% DON'T KNOW

- REFUSED

Now, I have just a few more questions for statistical purposes only...

40. First, in what year were you born?

<u>6/95</u>	<u>10/95</u>	<u>6/97</u>	<u>10/97</u>	<u>8/98</u>	<u>10/98</u>	<u>12/98</u>	<u>10/01</u>	<u>1/04</u>	
8%	6%	9%	8%	7%	7%	4%	4%	4%	18-24
26%	16%	22%	19%	17%	15%	19%	12%	10%	25-34
21%	17%	24%	20%	22%	20%	25%	16%	14%	35-44
18%	21%	12%	21%	19%	17%	18%	23%	18%	45-54
11%	17%	12%	10%	15%	13%	11%	14%	18%	55-64
14%	23%	21%	21%	18%	25%	21%	27%	34%	65+
2%	2%	1%	1%	3%	3%	3%	5%	3%	Refused

41. And in politics today, do you consider yourself...

a Republican,
a Democrat,
or something else?

13% STRONG REPUBLICAN
9% NOT-SO-STRONG REPUBLICAN

9% LEAN REPUBLICAN
20% SOMETHING ELSE/INDEPENDENT/UNDECLARED
7% LEAN DEMOCRAT

14% NOT-SO-STRONG DEMOCRAT
27% STRONG DEMOCRAT

1% REFUSED

22% **TOTAL REPUBLICAN**
36% **TOTAL LEAN/INDEPENDENT**
41% **TOTAL DEMOCRAT**

Trend:

<u>6/97</u>	<u>10/97</u>	<u>8/98</u>	<u>10/98</u>	<u>12/98</u>	<u>3/99</u>	<u>4/99</u>	<u>9/99</u>	<u>10/99</u>	<u>8/01</u>	<u>10/01</u>	<u>1/04</u>	
15%	11%	15%	19%	16%	11%	12%	10%	15%	13%	15%	13%	STR GOP
9%	13%	9%	10%	13%	11%	10%	10%	9%	10%	9%	9%	SOFT GOP
5%	7%	6%	5%	11%	7%	10%	6%	7%	7%	7%	9%	LEAN GOP
25%	28%	21%	22%	11%	20%	14%	21%	22%	20%	13%	20%	IND/UND
6%	6%	12%	5%	12%	13%	10%	6%	9%	8%	12%	7%	LEAN DEM
15%	12%	11%	10%	10%	11%	20%	15%	14%	11%	11%	14%	SOFT DEM
22%	19%	23%	26%	23%	23%	23%	21%	21%	26%	27%	27%	STR DEM
2%	2%	4%	3%	4%	4%	2%	11%	4%	3%	5%	1%	REF
24%	24%	24%	29%	29%	22%	22%	20%	24%	24%	24%	22%	GOP
36%	41%	39%	32%	34%	40%	34%	33%	38%	35%	32%	36%	LEAN/IND
37%	31%	34%	36%	33%	35%	43%	36%	35%	38%	38%	41%	DEM

42. And, in local city elections, do you consider yourself a Republican, a Democrat or a Charterite?

27% REPUBLICAN
 42% DEMOCRAT
 12% CHARTERITE

 16% UNDECIDED/DON'T KNOW
 4% REFUSED

43. And what was the last grade you completed in school?

1% SOME GRADE SCHOOL (1-8)
 5% SOME HIGH SCHOOL (9-11)
 27% GRADUATED HIGH SCHOOL (9-12)
 2% TECHNICAL OR VOCATIONAL SCHOOL (12)
 23% SOME COLLEGE (13-15)
 25% GRADUATED COLLEGE (16)
 15% GRADUATE/PROFESSIONAL SCHOOL (16+)
 2% REFUSED

32% *HIGH SCHOOL OR LESS*
 26% *SOME COLLEGE*
 40% *COLLEGE+*

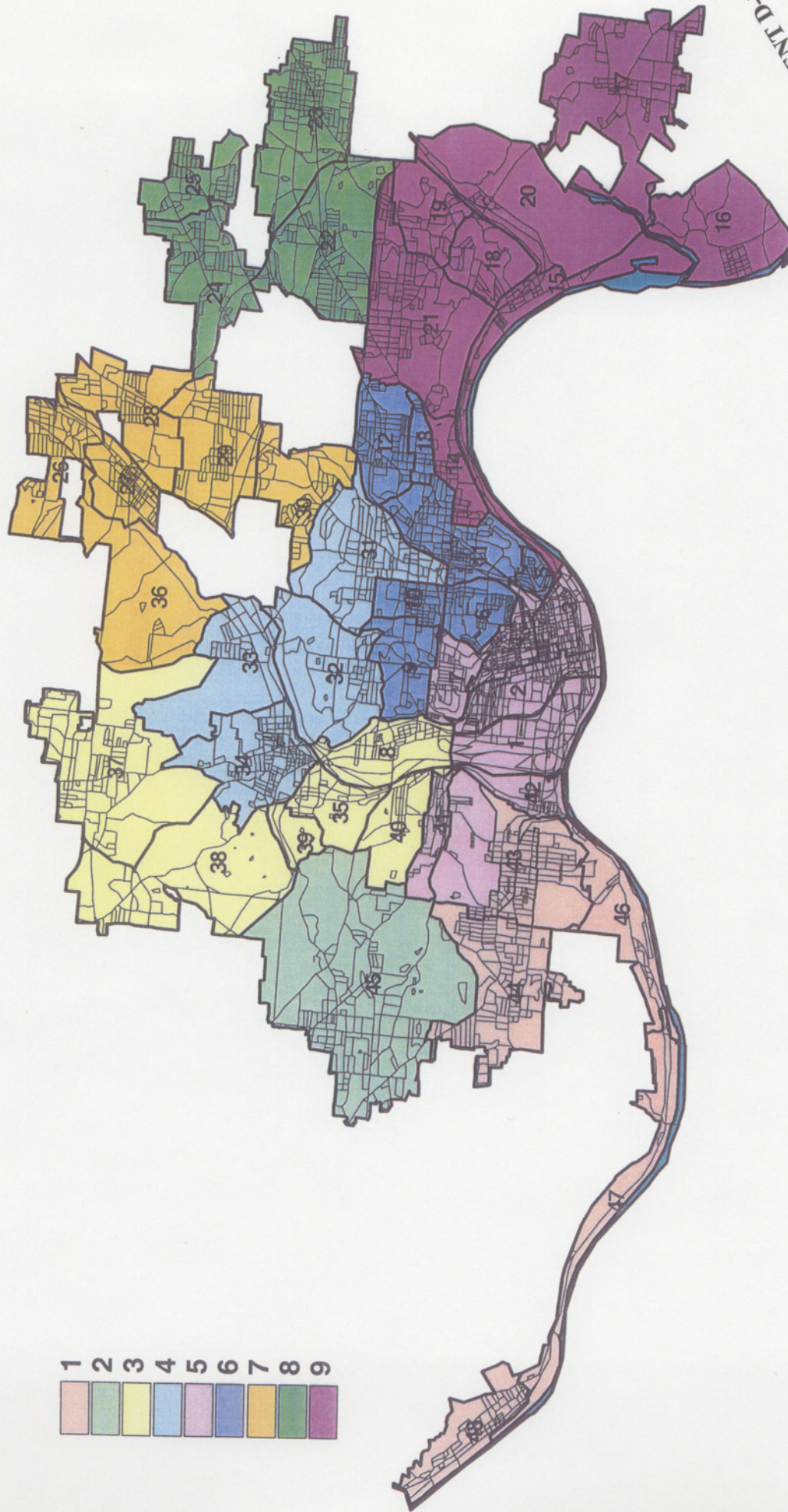
44. And, in order to ensure that we get a representative sampling of Cincinnati's neighborhoods and people, please tell me – other than being an American, what is your main ethnic or racial heritage?

<u>6/97</u>	<u>10/97</u>	<u>8/98</u>	<u>10/98</u>	<u>12/98</u>	<u>3/99</u>	<u>4/99</u>	<u>9/99</u>	<u>10/99</u>	<u>8/01</u>	<u>10/01</u>	<u>1/04</u>	
30%	30%	30%	30%	30%	30%	30%	30%	30%	35%	35%	35%	BLACK
64%	65%	61%	63%	62%	63%	66%	60%	64%	59%	57%	59%	WHITE
4%	4%	5%	2%	3%	2%	2%	1%	2%	3%	4%	3%	OTHER
3%	1%	4%	4%	5%	4%	2%	9%	4%	4%	3%	3%	REF

45. Sex (BY OBSERVATION, BUT ASKED EVERYONE) Are you employed outside of the home, are you a homemaker, or are you retired?

27%	MALE/EMPLOYED
1%	MALE/HOMEMAKER
16%	MALE/RETIRED
4%	MALE/NOT IN LABOR FORCE
24%	FEMALE/EMPLOYED
4%	FEMALE/HOMEMAKER
21%	FEMALE/RETIRED
2%	FEMALE/NOT IN LABOR FORCE
1%	MALE REFUSED
1%	FEMALE REFUSED
48%	TOTAL MALE
52%	TOTAL FEMALE

Council District 9B3



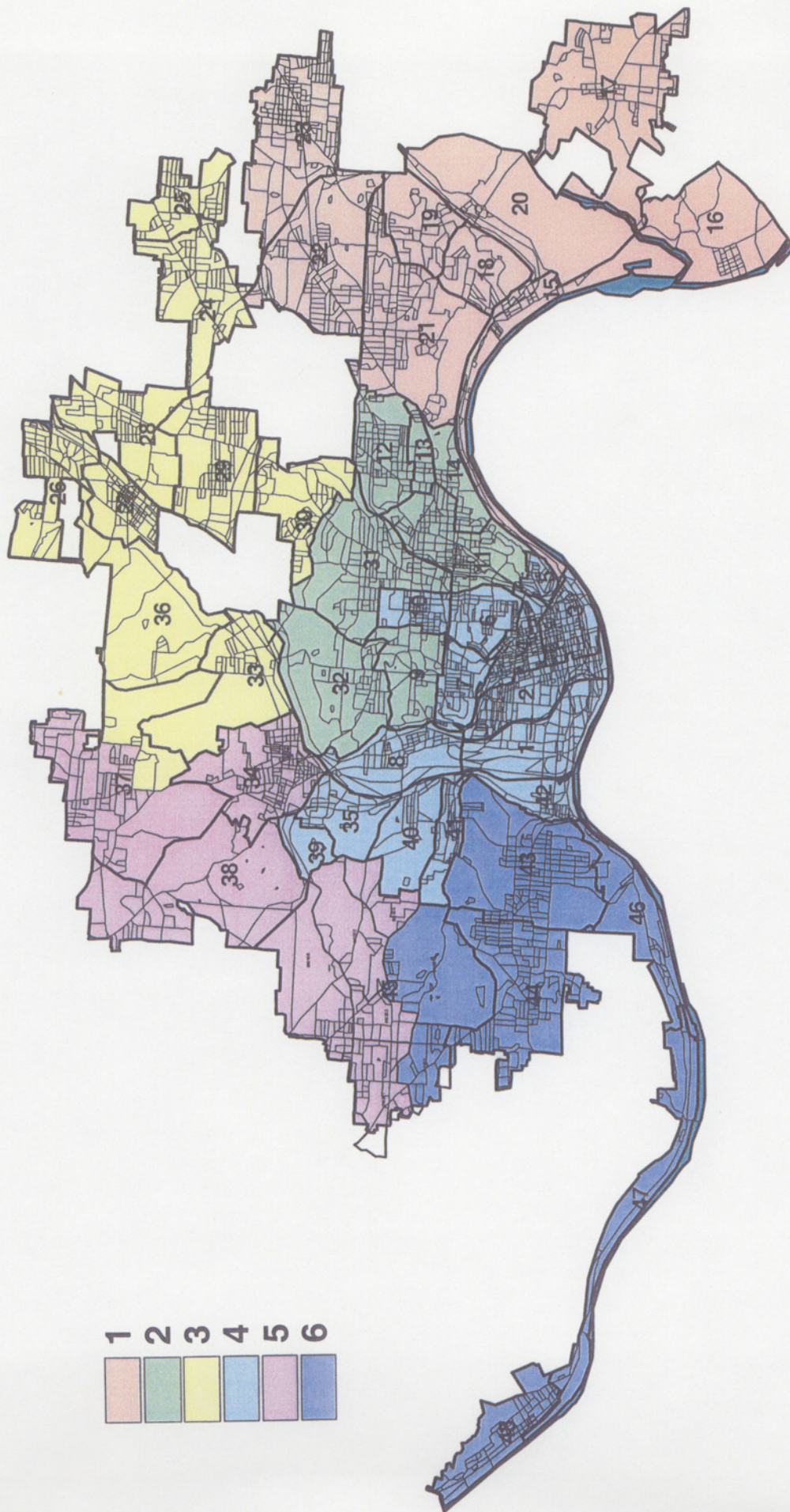
ATTACHMENT D-1

Council District 9B3

	Population	White	% White	African-American	% African-American
District 1	37,195	32,177	86.51%	3,791	10.19%
District 2	35,730	22,370	62.61%	11,744	32.87%
District 3	37,362	13,096	35.05%	23,051	61.70%
District 4	36,570	14,107	38.58%	20,839	56.98%
District 5	36,300	15,015	41.36%	19,458	53.60%
District 6	38,136	12,874	33.76%	22,868	59.96%
District 7	35,266	10,810	30.65%	23,316	66.11%
District 8	36,239	20,202	55.75%	14,630	40.37%
District 9	38,487	34,841	90.53%	2,479	6.44%

Cincinnati District Designation					
District 1		District 2		District 3	
2 - Westend	8,115	26 - Hartwell	4,950	10 - Corryville	3,830
3 - CBD Riverfront	3,189	27 - Carthage	2,412	29 - Bondhill	9,682
7 - Fairview/Clifton Hts	7,366	28 - Roselawn	6,806	30 - N. Avondale / Paddock Hill	6,212
9 - University Heights	8,753	36 - Winton Hills	5,204	31 - Avondale	16,298
32 - Clifton	8,546	33 - Winton Place	2,337		
		37 - College Hill	15,269		
Total	35,969	Total	36,978	Total	36,022
District 4		District 5		District 6	
4 - Over the Rhine	7,638	8 - Camp Washington	1,506	44 - W. Price Hill (A)	3,115
5 - Mt. Adams	1,514	1 - Queensgate	641	45 - Westwood	35,730
6 - Mt. Auburn	6,516	34 - Northside	9,389		
11 - Walnut Hills	7,790	35 - S. Cumminsville / Milville	3,914		
12 - Evanston	7,928	38 - Mt Airy	9,710		
13 - Evanston / E. Walnut Hills	1,805	39 - Fay Apts	2,453		
14 - E. Walnut Hills	3,630				
		40 - N. Fairmount / Englishwoods	4,510		
		41 - S. Fairmount	3,251		
		42 - Lower Price Hill	1,305		
Total	36,821	Total	36,679	Total	38,845
District 7		District 8		District 9	
43 - E Price Hill	17,964	22 - Oakley	11,244	15 - East End	1,692
44 - W. Price Hill (B)	14,000	23 - Madisonville	10,827	16 - California	475
46 - Sadaamsville / Riverside	2,223	24 - Pleasant Ridge	8,872	17 - Mt Washington	11,691
47 - Riverside / Sayler Park	1,451	25 - Kennedy Hts	5,296	18 - Mt. Lookout / Columbia Tusculm	3,081
48 Sayler Park	3,233			19 - Mt. Lookout	3,236
				20 - Linwood	
				21 - Hyde Park	13,640
Total	75,692	Total	36,239	Total	33,815

Council District 6B2 Revised

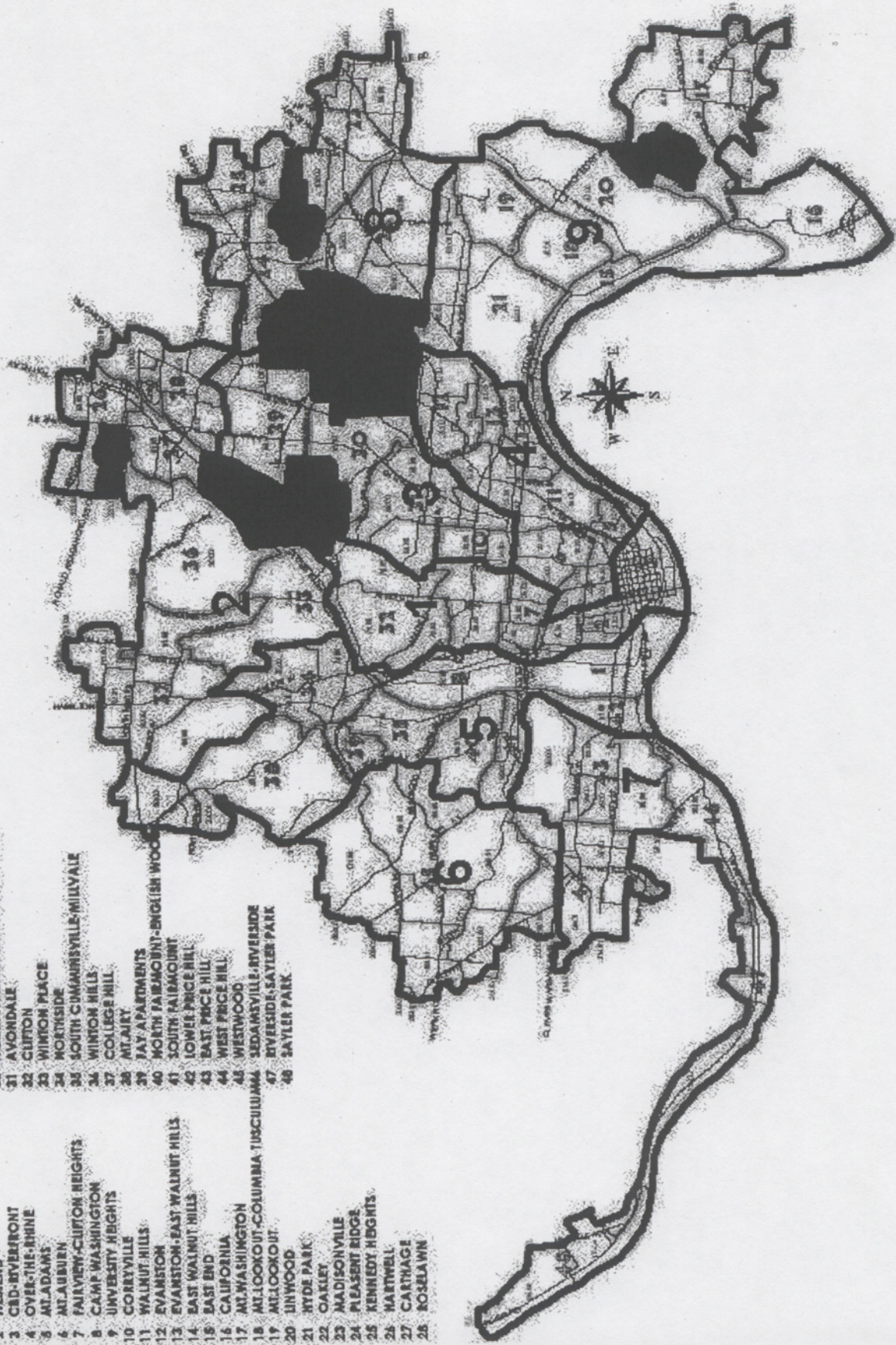


Council District 6B2 Revised

	Population	White	% White	African-American	% African-American
District 1	56,928	46,266	81.27%	8,726	15.33%
District 2	54,750	18,088	33.04%	33,515	61.21%
District 3	54,426	18,914	34.75%	33,682	61.89%
District 4	55,752	18,883	33.87%	34,453	61.80%
District 5	54,792	30,221	55.16%	22,533	41.12%
District 6	54,637	43,120	78.92%	9,267	16.96%

STATISTICAL NEIGHBORHOODS

- | | |
|------------------------------------|---------------------------------|
| 1 QUEENSGATE | 27 BONDHILL |
| 2 WESTEND | 30 NORTH AVONDALE-PADDOCK HILLS |
| 3 CBD-RIVERFRONT | 31 AVONDALE |
| 4 OVER-THE-RHINE | 32 CLIFTON |
| 5 ATL ADAMS | 33 WINTON PLACE |
| 6 ATL AUBURN | 34 NORTHSIDE |
| 7 FAIRVIEW-CLIFTON HEIGHTS | 35 SOUTH CUMMINGSVILLE-MILLVALE |
| 8 CAMP WASHINGTON | 36 WINTON HILLS |
| 9 UNIVERSITY HEIGHTS | 37 COLLEGE HILL |
| 10 COREVILLE | 38 ATL ARLY |
| 11 WALNUT HILLS | 39 TAY APARTMENTS |
| 12 EVANSTON | 40 NORTH FAIRMOUNT-ENGLISH WOOD |
| 13 EVANSTON-EAST WALNUT HILLS | 41 SOUTH FAIRMOUNT |
| 14 EAST WALNUT HILLS | 42 LOWER PRICE HILL |
| 15 EAST END | 43 EAST PRICE HILL |
| 16 CALIFORNIA | 44 WEST PRICE HILL |
| 17 ATL WASHINGTON | 45 WESTWOOD |
| 18 ATL LOOKOUT-COLUMBIA TUSCULUAMA | 46 SEDANSVILLE-RIVERSIDE |
| 19 ATL LOOKOUT | 47 RIVERSIDE-SAYLER PARK |
| 20 LINWOOD | 48 SAYLER PARK |
| 21 HYDE PARK | |
| 22 OAKLEY | |
| 23 MADISONVILLE | |
| 24 PLEASANT RIDGE | |
| 25 KENNEDY HEIGHTS | |
| 26 HARTWELL | |
| 27 CARTHAGE | |
| 28 ROSELAWN | |



Cincinnati Election Reform Commission

A Report on the Advantages/Disadvantages of Selected Institutional Features in City Charters

**Prepared by
Craig M. Wheeland, Ph.D.
Villanova University**

February 19, 2004

Table of Contents

1. Introduction	3
2. The Relevance of Institutions	3
a. The Logic of Appropriateness	4
b. Correcting Problems in Performance	4
3. Forms of Government	5
a. Mayor-Council Form	5
b. Council-Manager Form	5
c. Institutional Variation	7
d. Implications of Adaptation	8
4. Looking to the Mayor for Leadership	10
a. Empowered Mayors in the Council-Manager Form	10
b. Strong Mayors in the Mayor-Council Form	11
c. Constrained Mayors in the Mayor-Council Form	11
5. Survey Data on the Mayor's Powers	12
a. Council-Manager Communities	12
b. Mayor-Council Communities	14
6. General Comments about Form	14
7. Professional Leadership	15
a. Professional Attributes	15
b. Range of Responsibilities	17
c. Compensation	18
8. Election of Council	18
a. Partisan and Non-Partisan	18
b. At-Large and Single-Member Districts	19
c. Term Limits	20
d. Size of Council	21
e. Length of Term	21
9. City Council Compensation	21
a. Three Advantages of Full-Time Councils	22
b. Four Advantages of Part-Time Councils	23
10. Final Comments	23
11. Endnotes	28

A Report on the Advantages/Disadvantages of Selected Institutional Features in City Charters

Introduction

This report provides a nation-wide perspective on institutional features used in city charters and how they influence political practices in U.S. cities, especially in cities with over 250,000 residents. The specific institutional features I review were identified by members of the Cincinnati Election Reform Commission as most relevant to their work.

My task is to review the pattern of use across the U.S. and to discuss the advantages/disadvantages of selected institutional features in municipal government. I rely on survey and case study research published in reputable academic journals and other professional media. I use my publications as well as the published work of several other scholars. I offer general design comments that are compatible with either of the two traditional forms of city government (council-manager and mayor-council).

The Relevance of Institutions

There are three general types of influences shaping how council members, mayors and professional managers perform their jobs: contextual, personal, and institutional.

Contextual influences are part of the environment in which officials act, such as the city's political culture, fiscal resources, business leadership, and interest group activity.

Personal influences are related to the individuals holding office, such as their skills, personality, vision of the job, and legislative program.

Institutional influences derive from the formal features of the city government found in the charter and other local, state and national laws.

When citizens are dissatisfied with the performance of their city officials it is important to identify the source of the problem. Is it primarily contextual? Is it primarily personal? Is it primarily institutional? Is it a combination of influences?

For many cities in the past 100 years, including 81 cities in 2001, adopting changes in their institutions created the incentives for city officials to do their jobs in a way preferred by their citizens.¹ Changing the city's formal institutions certainly can have short-term effects, such as in the way elections are conducted or the way a professional manager is appointed, but the most important effects are long-term. The formal institutional features create incentives for certain kinds of candidates to run for office and for certain governing styles to be adopted. As Timothy Bledsoe suggests "different environments are conducive to different types of individuals securing political office."² James March and Johann Olsen develop the "logic of appropriateness" to

explain how the formal structure of government shapes the behavior of city officials in the long run.³

The Logic of Appropriateness

March and Olsen suggest “political institutions define the framework within which politics takes place.”⁴ They argue that rules are the means by which institutions affect behavior. Rules are the “routines, procedures, conventions, roles, strategies, organizational forms, and technologies around which activity is constructed.”⁵ Rules also include the “beliefs, paradigms, codes, cultures, and knowledge that surround, support, elaborate, and contradict those roles and routines.”⁶ They explain that rules “define relationships among roles in terms of what an incumbent of one role owes to incumbents of other roles.”⁷ The sense of obligation derived from the “logic of appropriateness” shapes how individuals follow the rules supported by the political institutions in which they work.⁸ In other words, an official shapes his or her action by defining the situation, determining his or her role, assessing the appropriateness of different actions in the situation, and doing the most appropriate one.⁹

Of course, discretion exists in the use of rules, because they are not monolithic and they may be contradictory and ambiguous, so conformity to as well as deviation from rules can occur in political institutions. March and Olsen conclude that trust, defined as “a confidence that appropriate behavior can be expected most of the time,” supports the network of rules and rule-bound relations.¹⁰ Deviation from the rules (i.e., violating the “logic of appropriateness”) will undermine trust among officials, and potentially erode support for the political institutions as well.

Correcting Problems in Performance

The implication here is clear: the use of a particular form of city government creates a set of institutions whose formal rules can shape behavior. Although it is possible for city officials to act in ways different from the behavior supported by the formal rules, doing so may violate the “logic of appropriateness” and potentially erode the trust that supports the formal institutions in the city’s political system. There are three main solutions to “inappropriate” behavior:

(1) remove the officials acting inappropriately (by defeating them in elections or by dismissing them from their appointed positions);

(2) clarify ambiguous rules and/or eliminate contradictory rules so officials and citizens can more easily understand how officials are expected to act; or

(3) change the city charter so the formal structure is compatible with the pattern of practice established by city officials and preferred by the majority of citizens.

Forms of Government

In the United States, the two main forms of city government are the mayor-council and council-manager. The 2001 Form of Government Survey indicates that 38 percent of cities use the mayor-council form and 53 percent of cities use the council-manager form in the United States.¹¹ However, in cities with a population over 250,000, 60 percent use the mayor-council form while 40 percent use the council manager form.¹² James Svara outlines the advantages and disadvantages of each form in Table 1. The council-manager form continues to be the preferred form featured in the eighth edition of the National Civic League's Model City Charter.¹³

Mayor-Council Form

The mayor-council form uses the separation-of-powers principle. The city council holds the legislative power and the mayor exercises the executive powers. This principle provides the foundation for a conflict pattern of interaction among officials, especially elected officials, who have incentives to compete with one another in order to accomplish their agendas.¹⁴ The council's role is generally that of a counterweight to the leadership provided by the mayor. Svara suggests the mayor in this form leads "by establishing direction, forging coalitions, galvanizing the bureaucracy - in general by managing and resolving conflict in all dimensions of the governmental process - the Executive Mayor becomes the driving force in this form of government."¹⁵ Indeed, the successful Executive Mayor draws power from formal and informal sources to become the dominant actor in city government.

Council-Manager Form

The council-manager form uses the unification-of-powers principle. The city council holds both the legislative and executive powers. The city council delegates its executive power to a professional city manager they appoint to serve at the pleasure of the council. The unification-of-powers principle sets a foundation for a cooperative pattern of interaction among officials.¹⁶ The council's role is that of "senior partner" in the council-city manager relationship.¹⁷ The mayor's role is facilitative in nature. Svara argues the Facilitative Mayor has ample authority to act as the "guiding force in city government who helps insure that all other officials are performing as well as possible and that all are moving in the right direction."¹⁸ Like the Executive Mayor, the Facilitative Mayor can act as a "policy initiator" helping to set the agenda and develop policies to address problems facing the community.¹⁹ However, the Facilitative Mayor need not "pyramid resources" to be successful. Instead, he or she "accomplishes objectives through enhancing the efforts of others. . . . Rather than seeking power as the way to accomplish tasks, the facilitative mayor seeks to empower others."²⁰

Table 1: Forms of Government: Advantages and Disadvantages/Strengths and Weaknesses¹

Council-Manager	Mayor-Council
<p>Advantages/strengths</p> <ul style="list-style-type: none"> • Based on collective leadership by mayor and council • Blends political and professional leadership • Capacity for setting goals and systematically pursuing them long-term • Greater response to change of council majority • Council focuses on governance role along with representational role • Mayor can be facilitator who provides visionary leadership • Faster adoption of management innovations; higher level of administrative performance and management of resources • City manager is clearly accountable to the council for city government performance • Potential to select city manager with needed qualities; potential to remove manager at any time 	<p>Advantages/strengths</p> <ul style="list-style-type: none"> • Based on executive leadership by mayor • Stresses political leadership • Higher capacity for policy innovation • Greater capacity to forge coalitions and overcome political resistance • Greater response to change of mayor • CAO can infuse professional considerations into governmental process if the CAO has professional independence or the mayor is supportive • Council focuses on representational role • Focused political accountability
<p>Disadvantages/weaknesses</p> <ul style="list-style-type: none"> • Difficult to coalesce fragmented council; fragmented council impedes governmental performance • Mayors less likely to be visionary leaders • Political accountability is divided among all council members • Manager can stand in the way of mayor/council control over departments 	<p>Disadvantages/weaknesses</p> <ul style="list-style-type: none"> • Success depends on leadership capabilities of the mayor • Greater conflict between mayor and council • Council focuses more on service role than policy making role • Slower adoption of management innovations; lower level of administrative performance and management of resources • Mayor can restrict council oversight of departments • Departments can play mayor against council

¹Table 1 provided courtesy by Jim Svava.

Institutional Variation

Svara has developed the expectations of official behavior derived from the logic of appropriateness embedded in the two design principles, separation or unification. However, the institutional features found in these two basic forms have not remained static. The pattern over the past 100 years is for council-manager cities to adopt features from mayor-council cities and vice versa. Some scholars today find the simple typology of council-manager and mayor-council inadequate to capture the changes adopted to alter these original forms of government in the United States. Table 2 presents the seven types of government developed by Victor DeSantis and Tari Renner with data from 1996 and 2001.

DeSantis/Renner use survey data from the 1996 Form of Government Survey to identify seven main variations.²¹ They suggest three variations of council-manager government and four variations of mayor-council government. Because of the limitations in the kinds of questions asked in 1996 survey, they defined both the Empowered Mayor in council-manager government and the Strong Mayor in the mayor-council government as directly elected officials, having a veto power, and having a formal role in either the budget process or the appointment of department heads.

Susan MacManus and Charles Bullock used the DeSantis/Renner typologies in their analysis of the data from the 2001 Form of Government Survey.²² The 2001 Survey included more questions about the mayor's powers, especially about the appointment of the city manager or CAO, than did the 1996 survey, so MacManus/Bullock included more powers to classify cities. They were able to classify only 42 percent of the mayor council cities and 63 percent of council-manager cities using the modified DeSantis/Renner typologies. They could not classify the rest of the cities because of the variation in powers. For example, many of the remaining 37 percent of council-manager cities could not be classified because they have empowered mayors who are not elected at-large, do not have the veto, but who have a role in appointing department heads and/or preparing the budget.

Table 2 DeSantis/Renner Typology of City Government Forms (percentages reported)

Type	1996	2001
Council-Manager Cities		
classic council-manager	37	25
council-manager with at-large mayor	47	38
council-manager with empowered mayor	14	0.2 (five cities)
Mayor-Council Cities		
strong mayor with chief administrative officer (CAO)	17	3
strong mayor without CAO	25	17
weak mayor with CAO	16	17
weak mayor without CAO	19	5

Note: at-large mayor refers to being elected directly by all city voters.

H. George Frederickson, Gary Johnson, and Curtis Wood use survey data from a sample of cities with populations between 10,000 and 1,000,000 to identify a cluster of cities that mix electoral features and the powers of the mayor in such a way as to no longer be either of the two traditional forms.²³ The authors create a typology different from the DeSantis/Renner using more institutional features in order to better describe the variation in form of government, and to demonstrate how the forms of government are becoming less distinct over time. Table 3 presents the list of features for the five types of cities developed by Frederickson, et al.²⁴

Type I cities are called “political” cities because they maintain the traditional features found in the “Stonger” version of mayor-council government. Type I cities are 16 percent of cities in their study.

Type II cities are called “administrative” cities because they maintain the traditional features found in the classic form of council-manager government. Type II cities are 15 percent of the cities in their study.

Type III cities are “adapted cities” because they mix features found in Type I and Type II cities. Type III cities are 61 percent of all cities in their sample. They suggest three variations of Type III cities:

- *the adapted political city (16 percent);
- *the conciliated city (13 percent); and
- *the adapted administrative city (40 percent).

Frederickson et al. defined Cincinnati’s current form of government as a good example of a conciliated city, one that is a hybrid form resting on the council-manager plan platform.

Implications of Adaptation

If March and Olsen are correct about the “logic of appropriateness” influencing the behavior of elected and appointed officials, then mixing of institutional features offers challenges and opportunities.

The main challenge is for officials to understand their roles in governing when institutional incentives are ambiguous. Conflict may increase among members of the city council, between the city council and the mayor, and/or between elected officials and their appointed professional as each official acts based on their understanding of the rules.

The main opportunity in the council-manager form is to enhance the mayor’s leadership by giving the mayor additional powers beyond serving as presiding officer of council meetings and serving as a chief spokesperson for the city.

The main opportunity in mayor-council government is to enhance professional leadership by creating the CAO position.

Table 3: Frederickson/Johnson/Wood's Types and Characteristics of American Cities

Type I	Type III			Type II
Political	Adapted Political	Concillated	Adapted Administrative	Administrative
Mayor directly elected	Mayor directly elected	Mayor either directly elected or selected by council	Mayor directly elected	Mayor selected by council
Most council elected by district	Council elected by district, at-large, or mixed	Council elected by district, at-large, or mixed	Council elected by district, at-large, or mixed	Most council elected at-large
No CAO	Likely to have CAO	Has CAO	Has CAO	Has CAO
Mayor is not on council	Mayor is not on council	Mayor is not on council	Mayor is on council	Mayor is on council
Mayor has veto power	Mayor has veto power	Mayor may have veto power	Mayor may have veto power	Mayor does not have veto power
Mayor is full time	Mayor is full time	Mayor may be full time or part time	Mayor is usually part time and may be full time	Mayor is part time
Mayor has staff	Mayor has staff	Mayor may have staff	Mayor does not have staff	Mayor does not have staff
Council is full time	Council is full or part time	Council may be full time or part time	Council is part time	Council is part time
Council has staff	Council may have staff	Council may have staff	Council does not have staff	Council does not have staff
Nonpartisan or partisan	Partisan or nonpartisan elections	Nonpartisan or partisan elections	Usually nonpartisan elections	Nonpartisan elections
Dept. heads report to mayor	Dept. heads report to mayor	Dept. heads report to CAO	Dept. heads report to CAO	Dept. heads report to CAO
Mayor serves as CAO	Mayor appoints or terminates CAO without consent of council	Mayor appoints or terminates CAO with consent of council	Council appoints or terminates city manager	Council appoints or terminates city manager
May have civil service	May have civil service	Usually has civil service	Usually has civil service	Usually has civil service
May have bidding system	May have bidding system	Usually has bidding system	Usually has bidding system	Usually has bidding system
Statutory of charter form is mayor-council form	Statutory of charter form is likely to be mayor-council form	Statutory of charter form may be council-manager or mayor-council	Statutory of charter form is likely to be council-manager	Statutory of charter form is council-manager

Looking to the Mayor for Leadership

The desire to enhance the mayor's ability to provide leadership in the community is one of the main reasons why cities adapt their forms of government. Table 4 compares the features and powers cities often use to create an Empowered Mayor in council-manager government to the features and powers usually exercised by a Strong Mayor in the mayor-council form.

Table 4: Institutional Features and Powers Affecting the Mayor

Feature/Power	Empowered Mayor in CM	Strong Mayor in MC
Direct Election by Citizens	yes	yes
Four-Year Term	yes	yes
No Term Limits	yes	yes
Higher pay than council members, and in large cities, full-time pay	yes	yes
Appointing citizens to boards and commissions without council approval	yes	yes
Offering a legislative program via a "state of the city speech" or other means	yes	yes
Presenting reports to council and the public	yes	yes
Reviewing the city manager's budget, adding comments and suggestions, and then submitting it to council	yes	not applicable
Preparing the budget/submitting it to council	not applicable	yes
Responsible for executing the law	not applicable	yes
Nominating the city manager to council for approval and/or initiating the dismissal of the city manager	yes	not applicable
Appointing CAO without council approval	not applicable	yes
Appointing assistants or deputy mayors without council approval	yes	yes
Appointing Department Heads without council approval	not applicable	yes
Assigning council members to committees	yes	no
Presiding at council meetings	yes	no
The power to veto legislation	sometimes	yes
The power to vote with council on all issues	sometimes	no

Empowered Mayors in the Council-Manager Form

The features and powers used to create the Empowered Mayor intend to help the mayor offer leadership without necessarily undermining the prerogatives of the council or the city manager, and indeed can enhance the mayor's ability to guide the policy-making process.²⁵ The power to appoint members of boards and commissions enhances the mayor's status as the official with the best opportunity to establish relationships with the city's public, private, and non-profit leadership. The direct election, higher pay and

perhaps full-time status, provides the mayor the incentive to devote the time needed to guide the city's policy process. The power to appoint assistants who work on policy, media relations and citizen relations increases the ability of mayors to influence policy and coordinate council members and the city manager. The veto power is the most controversial feature.

The National Civic League's Model City Charter recommends not using the veto power, because it separates the mayor from the council and makes it more difficult for the mayor to exercise facilitative leadership. When the mayor presides at council meetings, votes with council, and determines the committee memberships, then the mayor can emerge as a legislative leader helping to resolve conflict among council members.

The Model City Charter recommends using the veto power in mayor-council cities, especially in conjunction with other powers, so the mayor has the veto as a tool to negotiate with council members over the details of the mayor's legislative program.

Strong Mayors in the Mayor-Council Form

The features and powers given to a Strong Mayor are intended to give that office the initiative in policy-making and the control of the administration needed to become the driving force in city government. The appointment powers of the Strong Mayor are the most controversial features.

Strong Mayors appoint department heads and/or a CAO without council approval. They also usually have wide discretion defining the duties of the CAO. Indeed, when the Strong Mayor option is used, the Model City Charter does not recommend defining the CAO's qualifications and duties in the charter in order to insure other officials and citizens know who is in charge of the administration – it is the mayor.

Constrained Mayors in the Mayor-Council Form

An alternative version of mayor-council government offers what I have called the Constrained Mayor. Constrained Mayors appoint a CAO and department heads with council approval, but they may dismiss these administrators without council approval. Because the city council has a role, they can potentially influence the mayor's choices.

When cities have the mayor-council form using a Constrained Mayor, the Model City Charter suggests giving the CAO more independence from the mayor, by defining the CAO's qualifications and duties in the charter. The Model City Charter suggests the CAO should:

1. have the "same professional qualifications as the city manager;"
2. prepare the budget and submit it to the mayor who then adds his or her recommendations before submitting it to council;
3. recommend personnel appointments to the mayor, although the mayor retains control over the removal of department heads and other major administrative officials; and

4. provide policy advice and information to the mayor, but also insures that council is informed.²⁶

The Model City Charter acknowledges that the CAO in this option often maybe caught in the conflict between the council and the mayor and therefore may have a difficult time exercising professional leadership (as the “logic of appropriateness” suggests might occur). Nevertheless, the CAO’s presence is an opportunity for a professional to direct the work of the city government, provide advice and to help mediate mayor-council conflict.

Survey Data on the Mayor’s Powers

The trends in the United States are to enhance the role of the mayor in council-manager communities and to include professional leadership in mayor-council communities. The changes in council-manager government intend to encourage members of the city council to look to the mayor for leadership in performing the governance function, much as council members in “strong” mayor-council communities look to the mayor. The addition of a professional CAO brings the advantages of professional city management to mayor-council communities. As was evident in my summary of the DeSantis/Renner, MacManus/Bullock and Frederickson et al classifications of government forms, few communities have adopted all of the features designed to enhance the mayor’s or professional manager’s leadership potential.

Council-Manager Communities

The effort to enhance the status of the mayor in council-manager communities has met with some success, but the majority of these communities in the United States have not adopted all of the ideas. Data in Table 5 from the 2001 Form of Government Survey for council-manager communities document the pattern of use of some of the mayor’s powers and other institutional features.²⁷

Table 5: Institutional Features of Mayor's Office in Council-Manager Cities

Feature	% of cities
1. directly elected by the voters	65
2. four-year term	32
3. no term limits	88
4. appoints citizens to serve on advisory or quasi-judicial authorities, boards, and/or commissions (note that the survey did not ask about council approval)	76
5. annual report on the state of the community	41
6. receives the budget developed by the professional manager	30
7. initiates the appointment and/or dismissal of the professional manager	41
8. assigns council members to committees	80
9. position officially defined as full-time	7
10. veto ordinances	12

The 2001 Form of Government Survey did not ask about the mayor's power to appoint assistants or deputy mayors; however, in my study of large cities (cities with a population over 370,000) I found that 10 of the 13 council-manager cities gave the mayor this power.²⁸

The 2003 Municipal Year Book reports the mean salary in 2002 for mayors in council-manager communities was \$11,037, and in council-manager communities with a population over 250,000 and less than 500,000, the mean salary was \$54, 833.²⁹

The size of city is related to the use of these powers. It is in cities over 250,000 population where the effort to create Empowered Mayors is most likely to occur and be successful.

Mayor-Council Communities

The mayor-council communities have also not adopted all the features needed to have a fully developed Strong Mayor. The 2001 Form of Government Survey data in Table 6 document the use of some of the powers and other features relevant to having a Strong Mayor in mayor-council cities.

Table 6: Institutional Features of Mayor's Office in Mayor-Council Cities

<u>Feature</u>	<u>% of cities</u>
1. directly elected by the voters	97
2. four year term	68
3. no term limits	94
4. annual report on the state of the community	62
5. receives the budget developed by the professional manager	66
6. independent responsibility to prepare the budget	25
7. may veto ordinances	58
8. appoints citizens to serve on advisory or quasi-judicial authorities, boards, and/or commissions (note that the survey did not ask about council approval)	90
9. initiates the appointment and/or dismissal of the CAO	53
10. appoints department heads without council approval	38
11. position officially defined as full-time	28
12. appoints the CAO without council approval	16

The 2001 Form of Government Survey did not ask about the mayor's power to appoint assistants or deputy mayors; however, in my study of large cities I found all 26 mayor-council cities gave the mayor this power (and only one city required council approval). I also found that 23 of the 26 cities gave the mayor primary responsibility to prepare the budget.³⁰

The 2003 Municipal Year Book reports that the mean salary in 2002 for mayors in mayor-council communities was \$36,786, and in mayor-council communities with a population over 250,000 and less than 500,000, the mean salary was \$99,586.³¹

As is true for Empowered Mayors in council-manager communities, it is in cities with a population over 250,000 where the Strong Mayor in the mayor-council form is most prevalent.

General Comments on Form

For those reform-minded political leaders and their supporters who think formal institutional features are preventing their mayors from offering the kind of leadership needed in their cities, I suggest two options.

Option 1 is to change the institutional design in order to use the strongest version of mayoral leadership appropriate to the form of government currently in use.

There is, however, a risk in using Option 1. Some changes may lead to a package of formal institutional features that do not consistently support either the executive-style of leadership or the facilitative-style of leadership by the mayor. For example, giving the mayor a general veto power in council-manager cities and the power to nominate the city manager and initiate the manager's removal creates rules that can make it difficult for the mayor to lead council and for the city manager to respond to both the city council and the mayor when conflict is present. This lack of clarity in the rules generates ambiguity that can inhibit an official's ability to interpret clearly his or her role. In other words, following the logic of appropriateness could be more difficult and the potential to erode trust among officials and with the public can increase.

Option 2 is to change the form of government in order to create the formal institutional incentives needed for a different style of mayoral leadership (i.e., executive or facilitative). Although changing the basic form of government is difficult to accomplish, it may be preferable when compared to producing a hybrid set of formal institutional features which inhibit the efforts of all city officials to follow the "logic of appropriateness."

Oakland serves as an example of a city that first pursued Option 1 and then moved on to Option 2. In the late 1960s, the mayor of Oakland earned a part-time salary, had three secretaries and one administrative assistant.³² Reformers followed Option 1 to enhance the mayor's office. By the 1990s, the mayor of Oakland received a full-time salary and could appoint a number of assistants, such as a chief of staff, an assistant for media relations, an assistant for economic development, and an assistant for environmental policy. These changes established formal features that were consistent with the rules supporting a facilitative-style of leadership.

Yet some city officials, especially the mayors, and community leaders continued to push for changing the mayor's powers. In November 1998, Oakland's voters were asked again to approve changes in the mayor's powers, a change that would essentially establish a "strong" mayor-council form of government with a CAO. This time, by a vote of 3 to 1, Measure X passed. The change is not permanent, however. A provision in Measure X requires citizens to again vote to approve it in six years or the experiment will end and the charter will revert to the council-manager form.

Professional Leadership

The long-term trend in city government regardless of form is to establish positions in the executive branch of government for professional leadership. In 2001, for example, 103 cities considered adding this type of position compared to 32 that considered eliminating the position. Of these proposed changes, 74 cities approved the addition of a "chief appointed officer" while only nine cities approved the position's elimination.³³

Professional Attributes

The professional manager is typically one who has a combination of three attributes:

1. a graduate degree in public administration or public affairs (sometimes public policy, urban planning or business administration);
2. extensive years of experience in municipal government (often as an assistant); and
3. a personal commitment to the roles and values promoted by the Code of Ethics developed by the International City/County Management Association (ICMA) and also found in the ICMA's Declaration of Ideals.

Administrators working in council-manager and mayor-council governments are eligible for membership in ICMA, although being a member of ICMA is usually not required for employment. Indeed, the Model City Charter does not require ICMA membership even though it recommends the council-manager governmental form.

In addition to these three attributes, the professional manager in the future may be identified as an "ICMA Credentialed Manager." ICMA initiated a voluntary credentialing program in 2001 that encourages members to undertake a self-assessment of their knowledge and engage in at least 40 hours of education and training per year to insure their knowledge of the 17 core competencies/practices needed to be an effective local government manager/administrator. The 17 core competencies/practices are:

1. Staff Effectiveness (coaching/mentoring, team leadership, empowerment, delegating);
2. Policy Facilitation (facilitative leadership, facilitative council effectiveness, mediation/negotiation);
3. Functional and Operational Expertise and Planning;
4. Citizen Service;
5. Quality Assurance;
6. Initiative, Risk Taking, Vision, Creativity, and Innovation;
7. Technological Literacy
8. Democratic Advocacy and Citizen Participation;
9. Diversity;
10. Budgeting;
11. Financial Analysis;
12. Human Resources Management;
13. Strategic Planning;
14. Advocacy and Interpersonal Communication;
15. Presentation Skills;
16. Media Relations; and
17. Integrity (Personal integrity, professional integrity, organizational integrity).

For more information on the ICMA's Code of Ethics, Declaration of Ideals, Practices for Effective Local Government Management, and the Voluntary Credentialing Program, visit www.icma.org.

Both council-manager and mayor-council communities are well-served by employing professionals to serve as city manager or CAO. Professional local government managers contribute to good government by performing six roles:

1. Educator: professional managers can provide information, advice, and recommendations to the elected officials and the community;
2. Listener: professional managers consult with staff, elected officials, citizens, and their professional peers before developing proposals, making recommendations, and sometimes before making significant decisions;
3. Facilitator: professional managers can help elected officials develop an effective working relationship with each other, as well as with the manager, staff and community; and they can promote a deliberative process that includes elected officials, staff, citizens, and the manager in order to secure informed decision-making;
4. Subordinate: professional managers respond to direction set by elected officials and to the community values and preferences expressed by citizens;
5. Director: professional managers inform staff of policies, direct the work of the staff, and follow-up to insure the staff's performance complies with policies; and
6. Broker: professional managers help mediate conflict and use their negotiating skills to resolve disputes constructively.³⁴

Svara summarizes several of the key contributions: "the commitment to basing policy and service delivery on need rather than demand, stressing the long-term interests of the community as a whole, promoting equity and fairness, recognizing the interconnection of policies, and advancing citizen participation that is broad and inclusive."³⁵

In order to increase the chances that the council and/or the mayor will appoint a professional, the charter could have provisions defining the professional character of the position by listing basic qualifications and duties.

Range of Responsibilities

Research indicates city managers have greater independence and a higher profile in city government than do CAOs, especially when the mayor appoints the CAO without council approval.³⁶ City managers usually will interact with the city council members, citizen-leaders and community-groups more frequently than CAOs. City managers also have greater independence in administrative processes, such as budgeting, planning, human resource management and addressing service delivery issues. Both city managers and CAOs will interact with the media, but in cities with a population over 100,000, mayors perform media relations more so than either professional.

The data suggest neither contemporary city managers nor contemporary CAOs are typically invisible or behind-the-scenes officials. The lesser role for the CAO compared

to the city manager is directly a result of his or her serving as part of the mayor's administration and taking direction from the mayor, even when council approves the CAO's appointment.

Compensation

The 2003 Municipal Year Book reports the mean salary for city managers to be \$89,001, and in cities with a population between 250,000 and less than 500,000, the mean salary is \$173,068. CAOs usually have lower salaries than city managers; earning an average salary of \$69,404 in 2002, and in cities with a population between 250,000 and less than 500,000, earning an average of \$148,465.

Election of City Council

The rules featured in election law affect campaigns for seats on the city council. These electoral rules attract certain kinds of people to be candidates and influence how they act if they are elected.³⁷ Five important characteristics of electoral systems are party affiliation on the ballot, at-large or district (ward) elections, term limits, size of council, and length of term.

Partisan and Non-Partisan

The data from the 2001 Form of Government Survey on electoral systems affirm the continued popularity of non-partisan elections.³⁸ Survey results indicated only 33 percent of mayor-council communities and 15 percent of council-manager communities list the partisan affiliation of candidates on the ballot.

The main advantage of a non-partisan election is the candidate not having to engage voters initially as a Democrat, Republican, or other party's candidate. The focus of the campaign in a non-partisan election is not intended to be on party identification and party-building. The opportunity exists, therefore, to create an identity that, at the very least, appeals beyond party labels, and supports a candidate's effort to build an inclusive electoral coalition that will focus on the candidate's qualifications and his or her proposed solutions to issues. Indeed, independents are more likely to win seats on council when non-partisan elections are used and so are candidates who do not identify strongly with a political party.³⁹

Partisan elections are popular in certain states, such as Pennsylvania, New Jersey, and New York. They are popular because candidates can use the political party as a means to contest elections, shape a legislative program that the party's candidates will work on, and as a way to organize government. Partisan elections also generally have higher voter participation than non-partisan elections.⁴⁰

Interestingly Timothy Bledsoe found in his study of city council member careers that partisan elections do not necessarily attract candidates who are more motivated to further the interests of their political party, but they do attract people who enjoy politics, who pursue personal advancement through public office, and who are more likely to seek a political career.⁴¹ It also is true that even in non-partisan elections, candidates often use

appeals to party loyalty, sometimes “behind-the-scenes”, to persuade citizens to vote for them.

At-large and Single-Member Districts

The data from the 2001 Form of Government Survey indicate:

1. at-large elections are used exclusively in 51 percent of mayor-council communities and 72 percent of council-manager communities;⁴²
2. district elections are used exclusively in 24 percent of mayor-council communities and 9 percent of council-manager communities;⁴³ and
3. mixed electoral systems, which combine at-large and district elections, are used in 25 percent of the mayor-council communities and 19 percent of the council-manager communities.⁴⁴

The trend over the past two decades is towards mixed electoral systems, which is an effort to gain the advantages of each electoral method and also compensate for the disadvantages of each.

At-large elections remain popular because the electoral incentive for candidates is to create a coalition of supporters by appealing to universalistic interests or by crafting a platform for candidates that is inclusive of particularistic interests.⁴⁵ Universalistic interests are grounded in abstract values, such as honesty, efficiency, economy and effectiveness in government. Candidates who feature these values in their campaigns believe all citizens are affected and therefore have an interest in making sure government acts on these values. The inclusive coalition approach to winning at-large elections increases the chances that diversity will find its way into city council deliberations. There is an effort to either balance the slate of candidates running together so a range of different factions are included and the platform reflects diverse ideas; or the individual candidate attempts to craft a message that includes the particular concerns of different factions in the community.

At-large elections have two main disadvantages:

1. in socially heterogeneous communities, even if the inclusive coalition approach is used, the at-large election system may not provide representation of the range of social, geographic and economic interests present in the community; and
2. campaigning in at-large elections is more expensive than in district elections.

In recent decades, many communities changed at-large electoral systems to single-member district systems or to mixed systems. The use of single-member districts to elect members of the governing body creates incentives for officials to see the community interest as pluralistic. In many heterogeneous communities, neighborhoods often have concentrations of residents of similar economic, racial and ethnic

characteristics, and so single member districts increase the chances of these diverse interests having representation on the governing body. Defending and promoting the interests of the district becomes the customary approach. Finally, the cost of campaigning is usually lower in district elections than at-large elections.

District elections have three main disadvantages:

1. the electoral incentive for council members is to focus almost exclusively on the geographic area of the city they represent which can create barriers to cooperation among council members to address city-wide issues. In other words, district elections increase the likelihood of fragmented councils.
2. district elections can attract people who see their primary purpose as being ombudsman for their supporters; that is, helping constituents get questions answered, service problems corrected and so on, rather than focusing on mission and policy concerns, as well as constituent service.
3. drawing the boundaries of districts every ten years is often a difficult task, because of the need to balance the different criteria relevant to designing districts, such as race, neighborhood integrity, political party, and so on.

The kind of candidate attracted to run for city council generally varies by the type of election as well. District elections tend to attract candidates who pursue personal advancement through public office and who seek office in order to help people with whom they share a personal connection, such as family, friends, and neighbors.⁴⁶ In contrast, candidates in at-large elections are more likely to be motivated not by a love of politics or personal success, but out of a sense of community service and a commitment to abstract values such as honesty, efficiency, and good government.⁴⁷

The advantage of a mixed electoral system is that the council is likely to consist of different kinds of people, so the potential is to achieve a balanced type of representation on council.

Term Limits

Term limits on local governing bodies are still rare in the United States. The 2001 Form of Government Survey indicates only 5 and 13 percent of mayor-council and council-manager communities, respectively, use term limits.⁴⁸ Term limits are designed to mandate turnover on city councils (and also for mayors) in order to create competitive elections and generate greater responsiveness to community interests. Term limits address the problem of long-serving incumbents who favor the entrenched interests that re-elect them, rather than seeking to be responsive to new interests, or a wider range of interests, present in the community.

Incumbents in city council elections have similar advantages enjoyed by state and national elected legislators: name recognition, access to financial resources for their campaigns, and an opportunity to run on a record of service. In a National League of Cities (NLC) Survey in 2001, nearly two-thirds of city council members in council-

manager and mayor-council communities either won by a large margin, so they had “safe” seats, or were unopposed for re-election.⁴⁹ Only 11 percent of council members had competitive, close re-elections. Also reported in the NLC survey, a majority of council members intended to run for re-election and only 16 percent said they would not seek re-election.

Although term limits have certain advantages mentioned above, there are two important negative consequences.

First, by increasing turnover among experienced members of the city council, term limits replace capable incumbents with inexperienced city council members who may pursue a limited vision of the job. For example, the longer a council member serves in office the broader the range of interests he or she represents, and representing the political party becomes much less important while promoting business interests becomes more important.⁴⁹ Veteran city council members also can help steer new members in their first term toward a greater appreciation for their role in mission and policy making, and away from single-issue politics and micromanaging.

Second, voters are denied the chance to re-elect a competent incumbent, who may be well-liked by citizens and other officials. Restricting the voters this way is placing a limit on the democratic character of the city government.

Size of City Council

The size of the city council varies from a minimum of three to a maximum of 15 in council-manager cities and from a minimum of three to a maximum of 50 in mayor-council cities.⁵¹ The larger the city as determined by population the larger the size of the city councils. The average size is six in the council-manager city and seven in the mayor-council city. Larger city councils allow for a lower ratio of representative to constituents, but may also become unwieldy, requiring greater formality in conducting the business of the city. The advantage of small councils is that the voters can more easily identify the members and hold those officials accountable for the government’s performance.

Length of Term

The majority of city council members in both mayor-council cities and in council-manager cities serve four year terms.⁵² The four year term rather than a shorter term, such as two years, creates an incentive for council members to focus on longer-term issues and a wider range of interests. The four year term reduces campaign expenses and the amount of time devoted to campaigning compared to having to run every two or three years. The two main disadvantages are waiting longer before an unpopular council member can be challenged/defeated in an election and attracting citizens who are willing to commit to a four year term.

City Council Compensation

City councils are of three basic types: the volunteer council; the part-time council and the full-time council. The volunteer council members do not receive a salary for their service. Only about 15 percent of cities have volunteer councils and this number is

declining.⁵³ Furthermore, volunteer councils are more likely in council-manager communities than in mayor-council communities.⁵⁴

The 2001 NLC Survey found that average salaries are higher in mayor-council cities (\$12,566) than in council-manager cities (\$7,500), especially in cities with populations over 200,000 (\$23,335 in council-manager cities and \$39,061 in mayor-council cities).

The 2001 NLC survey also reports that in cities with a population over 200,000 the trend is to increase pay to over \$50,000 making the council position a full-time office as far as salary is concerned.

The NLC survey indeed found that council members in cities over 200,000 reported working an average of 42 hours per week compared to council members in smaller communities who reported working an average of 25 or fewer hours per week on their duties. The salaries of city council members in fourteen cities are presented in Table 7.

Table 7: City Council Salaries in Fourteen Cities

City	2000 Population	Salary
Council-Manager Cities		
San Antonio, TX	1,144,646	\$20 per meeting
Kansas City, MO	441,545	\$40,000
Charlotte, NC	540,828	\$13,438 +\$5800 for expenses
Phoenix, AZ	1,321,045	\$51,500
San Diego, CA	1,223,400	\$75,386
Raleigh, NC	311,744	\$10,000
San Jose, CA	911,000	\$75,005
Mayor-Council Cities		
Chicago, IL	2,900,000	\$91,600
Cleveland, OH	478,403	\$67,736
Atlanta, GA	417,000	\$32,473
Pittsburgh, PA	333,563	\$52,123
Minneapolis, MN	382,618	\$67,255
Albuquerque, NM	448,607	\$9,600
Philadelphia, PA	1,517,550	\$98,000

Three Advantages of Full-time Councils

First, the council member's full-time commitment when combined with employing his or her own staff gives the council some independence from the mayor and/or the professional manager. Full-time council members are able to gather information and develop a network of relationships with community leaders, groups and constituents that may help them individually and collectively to act as a "counterweight" in the mayor-council form or as a "senior partner" in the council-manager form.

Second, full-time council positions are more likely to attract motivated officeholders who will not have to struggle to balance their public responsibilities with their full-time careers.⁵⁵ Full-time council members are likely to focus their work on their council-related duties.

Third, community leaders who are politically ambitious are more likely to seek a full-time council position, which may help invigorate the political process by stimulating creative policy making and increased citizen participation.

Four Advantages of Part-Time Councils

First, they are less expensive to fund, which saves taxpayers money.

Second, citizens who do not want to give up successful careers as leaders in non-profit or for-profit organizations will be more likely to seek to serve their community by running for city council knowing it requires less than 25 hours per week. The presence of citizens who continue to pursue private careers can add a breadth of community experience needed in council deliberations.

Third, citizens who seek to serve their community without having ambitions for higher political office are more likely to run for part time positions. Such council members may be less likely to vote on issues and take positions on issues based on how these decisions will affect their political careers.

Fourth, part-time council members may be more willing to focus on governance activities, such as helping to determine missions, goals, and policies, rather than spending so much time on representation-type activities such as providing information and being a complaint processor for constituents.

Indeed, the 2001 NLC survey found the average number of hours devoted to “doing services for people” was nine hours for part-time council members compared to 18 hours for full-time council members; and the percentage of total work hours devoted to this activity was 35 percent for part-time council members compared to 42 percent for full-time council members. Processing citizen complaints, providing information to citizens and other constituent services would be primarily achieved via the mayor and/or professional manager if council members shifted their work towards governance.

Final Comments

In 1999, Cincinnati established an Empowered Mayor variation of council-manager government. Indeed by giving the mayor the power to nominate and initiate the removal of the city manager, and also the veto power, Cincinnati created a hybrid form of government that makes the mayor a “partial executive.” Now that changes in the charter are again being considered, there are three main options regarding form of government.

Option 1: No Change. Option 1 suggests the institutional arrangements are not the primary reason for dissatisfaction with the performance of city government. This option would give the Empowered Mayor approach, which is relatively new, more time to work.

Option 2: Revise Mayor’s Powers. Option 2 suggests retaining the empowered mayor version of the council-manager form, but adjusts the powers of the mayor in order to clarify the roles and duties various officials perform.

One change would be to eliminate the mayor's veto power and allow the mayor to vote with council on all issues. This change is compatible with the mayor's role as legislative leader of the council.

A second change would be to eliminate the mayor's power to nominate and/or to initiate the removal of the city manager. The city manager would no longer have to report to, and receive direction from, both the mayor and the council, which creates potential for confusion regarding to whom the city manager is ultimately responsible. The mayor as leader of the council would still have the potential to use informal resources to influence the choice and/or dismissal of the city manager, and would still be expected to form a partnership with the city manager to offer leadership in the city.

I illustrate Option 2 in Table 8 by comparing Cincinnati to Raleigh, NC and San Jose, CA. Raleigh is an example of part-time mayor who has the powers to act as a legislative leader. San Jose is an example of a full-time mayor who has the powers to act as a policy and legislative leader, as well as the power to nominate (but not initiate the removal of) the city manager.

Option 3: Change the Form. Option 3 suggests adopting the mayor-council form with a CAO. The city manager would become a CAO appointed by the mayor. The strongest version of this approach is to allow the mayor to appoint and remove the CAO without council approval.

The Model City Charter recommends allowing the mayor to determine the breadth of managerial control the CAO will have, especially appointing, removing and directing the work of some or all department heads; preparing reports; and preparing the budget. But this need not be the case if Cincinnati would like to have a defined role for the CAO in order to enhance professionalism in government. If there is a concern that the mayor may appoint a person who is not a professional, then the CAO's basic qualifications, powers and duties should be written into the charter.

Finally, the Strong Mayor in the mayor-council form usually does not preside at council meetings, nor appoint the chairs of council committees. These two tasks usually are performed by a council member chosen by the council to serve as council president. However, if the mayor retains these two powers, then he or she will have an enhanced ability to lead the legislative process in Cincinnati.

I illustrate Option 3 in Table 9 presenting profiles of Albuquerque, NM and Philadelphia, PA. Albuquerque is an example of a full-time "Constrained" Mayor who appoints a CAO with council approval. Philadelphia is an example of a Strong Mayor who appoints a CAO without council approval.

In addition to changing the mayor's powers, the Election Reform Commission is considering changes in the system of electing the city council and/or the council's stature (part-time vs. full-time). These changes do not have an impact on the choice between council-manager government and mayor-council government. The changes do affect the representation of citizens, the costs of campaigning, the issues debated in campaigns, the kinds of candidates seeking office and the way council members perform their jobs.

The data in Table 8 and Table 9 also illustrate different approaches used in four cities. Raleigh and Albuquerque are examples of part-time councils. San Jose and Philadelphia are examples of full-time councils. District elections are used in San Jose and Albuquerque. Mixed electoral systems are used in Raleigh and Philadelphia. Term limits are used in three of the cities: San Jose, Albuquerque and Philadelphia.

For more information on each city I recommend visiting their home pages:

Raleigh: www.raleigh-nc.org

San Jose: www.ci.san-jose.ca.us

Albuquerque: www.cabq.gov

Philadelphia: www.phila.gov

Table 8: Council-Manager Cities with Empowered Mayors

Feature	Cincinnati	Raleigh	San Jose
Current Population	331,285	311,744	911,000
Percent African-American	43	28	3.6
Percent Hispanic	1	7	30
Percent Asian	1.5	3.4	27
Mayor's Salary	115,786	15,000	105,021
Council Member Salary	57,000	10,000	75,005
Mayoral Features			
Direct Election	yes	yes	yes
Length of Term	4	2	4
Non-Partisan Election	yes	yes	yes
Term Limits	2	none	2 (successive)
Member of Council	yes	yes	yes
Presiding Officer	yes	yes	yes
Votes with Council	no	yes	yes
Veto Power	yes	none	none
Annual State-of-City Speech	yes	yes	yes
Receive and Comment of City Manager's Budget	yes	no	no
Prepare Budget Message	no	no	yes*
Appoints Assistants	yes	no	yes
Nominates City Manager	yes	no	yes
Initiates City Manager's Removal	yes	no	no
Council Elections			
Length of Term	2	2	4
Non-Partisan Election	yes	yes	yes
Term Limits	4 (successive)	none	2 (successive)
Size of Council (excluding mayor)	9	7	10
At-Large Seats	9	2	none
District Seats	none	5	10

*The mayor prepares a budget message which offers priorities and recommendations to the council. The council also receives a budget request from the city manager. The council may make revisions in the Mayor's budget message and then the council adopts the message as presented by the mayor or revised by council. The city manager and the mayor coordinate their efforts to prepare the budget message and the budget.

Table 9: Mayor-Council Cities with CAOs

Feature	Albuquerque	Philadelphia
Current Population	448,607	1,517,550
Percent African-American	3.1	43
Percent Hispanic	40	8.5
Percent Asian	2.2	4.5
Mayor's Salary	96,000	165,000
Council Member Salary	9,600	98,000
Council President Salary	19,200	123,000
Mayoral Features		
Direct Election	yes	yes
Length of Term	4	4
Non-Partisan Election	yes	no
Term Limits	2	2
Member of Council	no	no
Presiding Officer	no	no
Votes with Council	no	no
Veto Power	yes	yes
Proposes Legislation	yes	yes
Prepares Budget	yes	yes
Submits Reports	yes	yes
Executes the Law	yes	yes
Appoints Assistants/Deputies	yes	yes
without council approval	yes	yes
Appoints CAO	yes	yes
without council approval	no	yes
Dismiss CAO without council approval	yes	yes
Appoint Department Heads	yes	yes
without council approval	no	yes
Dismiss Department Heads	yes	yes
without council approval	yes	yes
Appoint Boards and Commissions	yes	yes
without council approval	no	yes
Council Elections		
Length of Term	4	4
Non-Partisan Election	yes	no
Term Limits	2	no
Size of Council (excluding mayor)	9	17
At-Large Seats	none	7
District Seats	9	10

Endnotes

1. Susan A. MacManus and Charles S. Bullock, "The Form, Structure, and Composition of America's Municipalities in the Millennium" in *The Municipal Year Book 2003* (Washington, D.C: International City/County Management Association), 3-18.
2. Timothy Bledsoe, *Careers in City Politics: The Case for Urban Democracy* (Pittsburgh, PA: University of Pittsburgh Press, 1993), 37.
3. James G. March and Johann P. Olsen, *Rediscovering Institutions* (New York: The Free Press, 1989).
4. Ibid., p. 18.
5. Ibid., p. 22.
6. Ibid.
7. Ibid., p. 23.
8. Ibid.
9. Ibid.
10. Ibid., p. 30.
11. Kimberly Nelson, *Structure of American Municipal Government*, Special Data Issue no. 4 (2002) (Washington, DC: International City/County Management Association, 2002).
12. Ibid.
13. National Civic League, *The Model City Charter*, 8th Edition (Denver, CO: National Civic League, Inc.)
14. James H. Svara, *Official Leadership in the City: Patterns of Conflict and Cooperation* (New York: Oxford University Press, 1990).
15. Ibid., p. 26.
16. James H. Svara (1990).
17. Ibid.
18. Ibid., p.27

19. James H. Svara and Associates, *Facilitative Leadership in Local Government* (San Francisco: Jossey-Bass Publishers, 1994): 225.
20. James H. Svara (1990), p. 87.
21. Victor DeSantis and Tari Renner, "City Government Structures: An Attempt at Clarification" in *The Future of Local Government Administration: The Hansell Symposium*, ed. H. George Frederickson and John Nalbandian (Washington, DC: International City/County Management Association, 2002): 71-80.
22. MacManus and Bullock (2003).
23. H. George Frederickson, Gary A. Johnson, and Curtis Wood, "Type III Cities," in *The Future of Local Government Administration: The Hansell Symposium*, ed. H. George Frederickson and John Nalbandian (Washington, DC: International City/County Management Association, 2002): 85-97.
24. Ibid., p. 87.
25. Craig M. Wheeland, "An Institutional Perspective on Mayoral Leadership: Linking Leadership Style to Formal Structure," *National Civic Review* 91:1 (Spring 2002): 25-39; James Svara, "The Roles of City Council and the Implications for the Structure of Government," *National Civic Review* 91:1 (Spring 2002): 5-23.
26. Ibid.
27. Kimberly Nelson, *Structure of American Municipal Government* (2002); MacManus and Bullock (2003).
28. Craig Wheeland (2002).
29. Evelina R. Moulder, "Salaries of Municipal Officials, 2002" in *The Municipal Year Book 2003* (Washington, D.C: International City/County Management Association), 79-101.
30. Craig Wheeland (2002).
31. Evelina Moulder (2003).
32. Jeffrey L. Pressman, "PreConditions for Mayoral Leadership," *American Political Science Review* 66 (June 1972): 511-524.
33. MacManus and Bullock (2003).

34. Craig M. Wheeland, "City Management in the 1990s: Responsibilities, Roles, and Practices," *Administration & Society* 32 (July 2000): 255-281; John Nalbandian, "Facilitating Community, Enabling Democracy: New Roles for Local Government Managers. *Public Administration Review* 59:3 (May/June 1999):187-197.
35. James H. Svara, "Do We Still Need Model Charters? The Meaning and Relevance of Reform in the Twenty-First Century" *National Civic Review* 90:1 (Spring 2001), 32.
36. James H. Svara (2001), pp. 30-31); James H. Svara (1990, p. 184); Robert P. Boynton and Victor DeSantis, "Form and Adaptation: A Study of the Formal and Informal Functions of Mayors, City Managers, and Chief Administrative Officers," *Baseline Data Report*, 22:1 (Washington, DC: International City Management Association, January/February 1990); Kimberly Nelson, "Assessing the CAO Position in a Strong-Mayor Government," *National Civic Review* 91:1 (Spring 2002): 41-54.
37. Timothy Bledsoe (1993), p. 41.
38. Kimberly Nelson, *Elected Municipal Councils*, Special Date Issue no. 3 (2002) (Washington, DC: International City/County Management Association, 2002).
39. James H. Svara, "Two Decades of Continuity and Change in American City Councils" *National League of Cities*, 2003.
40. Edward Banfield and James Q. Wilson, *City Politics* (New York: Random House, 1963), 151-167; Timothy Bledsoe (1993).
41. Timothy Bledsoe (1993), pp. 75, 78-79.
42. Kimberly Nelson, *Elected Municipal Councils* (2002).
43. Ibid.
44. Ibid.
45. For a classic discussion of electoral incentives political coalitions, see Banfield and Wilson (1963).
46. Timothy Bledsoe (1993), pp. 74-75, 78.
47. Ibid.
48. Kimberly Nelson, *Elected Municipal Councils* (2002).

49. James H. Svara (2003).
50. Timothy Bledsoe (1993), 110.
51. Kimberly Nelson, *Elected Municipal Councils* (2002); MacManus and Bullock (2003).
52. Ibid.
53. Kimberly Nelson, *Elected Municipal Councils* (2002); James H. Svara (2003).
54. James H. Svara (2003).
55. Timothy Bledsoe (1993), 51.

Supplemental Report for Cincinnati Election Reform Commission

Prepared by Craig M. Wheeland, Ph.D., Villanova University
February 23, 2004

1. Additional Specific Data on Large Cities

I offer the summary comment on page 14 in my report that “it is in cities with a population over 250,000 where the Strong Mayor in the mayor-council form is most prevalent.” In Table 1, I present data supporting that conclusion. Recall that the main distinction between a Strong Mayor and a Constrained Mayor is that Constrained Mayors make appointments with council approval. Also, 60 percent of cities over 250,000 use the mayor-council form and 65 percent of cities over 370,000 have the mayor-council form.

**Table 1: Institutional Features and Powers in Affecting the Mayor in Large Cities
(Percentages Reported)**

Feature/Power	(Both CM and MC) 250,000 and above ¹	(MC only) 370,000 and above ²
Direct Election by Citizens	100	100
Four-Year Term	80	92
No Term Limits	49	46
Full-time Pay	“Majority”	96
Appoint citizens to boards/commissions	85 (100,000 and above)	100
Most appointments without council Approval	not in survey	35
Offer a legislative program via a “state of the city speech” or other means	“Majority” ³	100
Present reports to council and the public	not in survey	100
Sole Responsibility to prepare the budget	40	88
Responsible for executing the law	not in survey	100
Appoint CAO without council approval	17	58 ⁴
Appoint assistants or deputy mayors without council approval	not in survey	96
Appoint Department Heads without council approval	75 (500,000 and above) 39 (250,000 – 499,999)	39
The power to veto legislation	88 (500,000 and above) 65 (250,000 – 499,999)	96

¹I do not have the raw data for the 2001 Form of Government Survey. I have relied on the published report of the data in Susan A. MacManus and Charles S. Bullock, “The Form, Structure, and Composition of America’s Municipalities in the Millennium” in *The Municipal Year Book 2003* (Washington, D.C: International City/County Management

Association), 3-18. They do not report data for each form of government within each population category, so I cannot distinguish between council-manager government (CM) and mayor-council government (MC) in large cities. I can focus on mayor-council cities in my study, which I do in column 2. Note that the data from the 2001 Form of Government Survey under-reports cities over 500,000, because many of these cities did not complete the survey. That is why my study helps here because I have all of them.

²The information in this column is from my study in 1998 of the 40 cities over 370,000 population (see Craig M. Wheeland, "An Institutional Perspective on Mayoral Leadership: Linking Leadership Style to Formal Structure," *National Civic Review* 91:1 (Spring 2002): 25-39.). I report only for the 26 mayor-council cities, which is 65% of cities over 370,000.

³This summary comment of the 2001 data is from Kimberly Nelson, *Structure of American Municipal Government*, Special Data Issue no. 4 (2002) (Washington, DC: International City/County Management Association, 2002).

⁴This percentage is from Kimberly Nelson, "Assessing the CAO Position in a Strong-Mayor Government," *National Civic Review* 91:1 (Spring 2002): 41-54. Nelson studied the same 40 cities featured in my study.

2. The Recall Provision

During my presentation to the Election Reform Commission, a member asked about the recall provision. I suggested it was a common feature in large cities. The data from the 2001 Form of Government Survey as reported by MacManus and Bullock support this conclusion. About 90 percent of cities over 250,000 have the recall provision in their charters.

3. The Qualifications of CAOs

During all of my presentations, people asked about the qualifications of CAOs compared to city managers. CAOs are more likely to have MBA and Law degrees than city managers who are more likely to have MPA degrees. CAOs are more likely to mix private sector management experience with public service in appointed positions, such as serving as deputy mayor and/or as a citizen on a board/commission/authority. I offer two profiles below to illustrate the qualifications of CAOs.

Jay Czar, CAO, Albuquerque, NM, has an MBA and completed the Kennedy School Program for Senior Executives in State and Local Government at Harvard in 1993. He served in various management positions in Albuquerque since 1986 before being appointed by the Mayor and approved by city council to serve as CAO.

Philip Goldsmith, Managing Director (i.e. CAO), Philadelphia, PA, has law degree from George Washington University. He has extensive service on various community boards. He served as a deputy mayor from 1979 to 1982. He held senior management positions

with PNC Bank Corporation from 1982 to 1994. He served as Chief Operating Officer of Diversified Search Company, an executive recruitment firm, until he joined the city in Mayor Street's administration.

The general pattern and these two examples support my conclusion that professional leadership can be present in mayor-council government, and in Strong Mayor systems.

4. The Use of District Elections and Mixed Systems in Large Cities

Although not reported by Kimberly Nelson¹ in her summary of the data from the 2001 Form of Government Survey, I reviewed data on electoral methods in the appendix of her report. The data in Table 2 support my conclusion that district elections and mixed systems are used by majority of large cities; indeed, 79 percent of cities over 330,000 use either districts or mixed systems. Columbus, OH is one of the few mayor-council cities still using at-large elections.

Table 2: Method of Electing City Council (Percentages Reported)

<u>Method</u>	<u>Cities over 330,000</u>
At-Large	21
District	42
Mixed	37

¹Kimberly Nelson, *Elected Municipal Councils*, Special Date Issue no. 3 (2002)
(Washington, DC: International City/County Management Association, 2002).

Cincinnati Election Reform Commission

Advantages/Disadvantages
Features in City

and, Ph.D., Villanova University

The Relevance of Institutions

- Contextual Influences
- Personal Influences
- Institutional Influences
- The Logic of Appropriateness
- Correcting Problems in Performance

Forms of Government

- **Mayor-Council Form**
 1. Executive Mayor
 2. Council as Counterweight
 3. Strengths and Weaknesses
- **Council-Manager Form**
 1. Facilitative Mayor
 2. Council as Senior Partner
 3. Strengths and Weaknesses

Forms of Government (Continued)

- **Institutional Variation**
 1. Frederickson, Johnson and Woods
 1. Type I Cities: Political
 2. Type II Cities: Administrative
 3. Type III Cities: Adapted Cities
 2. Cincinnati as "Conciliated City" or Hybrid
- **Implications of Adaptation**
 1. Ambiguity and Conflict
 2. Mayoral and Professional Leadership

Empowered Mayor in CM Form

- Directly elected by the citizens/four-year term/no term limits;
- Appoints citizens;
- Offers a legislative program;
- Presents reports;
- First Review of the city manager's budget;

Empowered Mayor in CM Form (continued)

- City Manager - Nomination of Appointment/
Initiation of Dismissal;
- Appoints assistants or deputy mayors;
- Assigns council members to committees;
- Higher pay than council members, and in large
cities, full-time pay;
- The power to veto legislation.

2001 Survey Data on Mayor's Powers Council-Manager Cities (%)

• Four-Year Term	32
• Annual report on the state of the city	41
• Receives the budget developed by the professional manager	30
• Initiates the appointment and/or dismissal of the professional manager	41
• Position Officially defined as full-time	7
• Veto ordinances	12

Strong Mayor in MC Form

- Directly elected by the citizens/four-year term/no term limits;
- Appoints citizens;
- Offers a legislative program;
- Prepares the budget;
- The power to veto ordinances;

Strong Mayor in MC Form (Continued)

- Responsible for executing the law;
- Appoints department heads without council approval;
- Appoints assistants/deputy mayors without council approval;
- Full-time salary;
- Appoints a professional CAO without council approval.

Constrained Mayor in MC Form

- Appointments with Council Approval
- Defined Role for CAO in Charter
 - Same professional qualifications as the city manager;
 - Prepare the budget and submit it to the mayor;
 - Recommend personnel appointments to the mayor;
 - Provide policy advice and information to the mayor, but insures council is also informed.

2001 Survey Data on Mayor's Powers Mayor-Council Cities (%)

- Appoint department heads without council approval 38
- Independent responsibility to prepare the budget 25
- Position officially defined as full-time 28
- Appoints the CAO without council approval 16

Professional Leadership

- Three Attributes
 1. A graduate degree in public administration, etc;
 2. Experience in municipal government;
 3. Commitment to the roles and values promoted in ICMA Code of Ethics and Declaration of Ideals

Professional Leadership (Continued)

- **ICMA Credentialed Manager**
 - Voluntary
 - 40 hours continuing education per year
 - 17 Core Competencies/Practices

Professional Leadership (Continued)

- | | |
|--|---|
| <ul style="list-style-type: none">● Six Core Roles<ul style="list-style-type: none">- Educator- Listener- Facilitator- Subordinate- Director- Broker | <ul style="list-style-type: none">● City Manager vs CAO<ul style="list-style-type: none">- Higher Profile- Greater Independence |
|--|---|

Electing City Council

- Partisan Elections
 - 33% of Mayor-Council Cities
 - 15% of Council-Manager Cities
- Pros and Cons
 - Nature of appeal
 - Independents
 - Legislative program
 - Organize Government
 - Voter turnout
 - Type of Candidate

Electing City Council (continued)

- At-Large
 - 51% of MC Cities
 - 72% of CM Cities
- District
 - 24% of MC Cities
 - 9% of CM Cities
- Mixed
 - 25% of MC Cities
 - 19% of CM Cities
- Pros and Cons
 - Cost of Campaigns
 - Nature of Appeals
 - Motivation to Run
 - Representation
 - Geographic
 - Demographic
 - Drawing lines
 - Fragmentation

Electing City Council (continued)

- **Term Limits**
 - 5% of MC Cities
 - 13% of CM Cities
- **Pro**
 - Counter Incumbent Advantage
 - Competitive Elections
 - Responsive to New Interests
- **Con**
 - Loss of Experience
 - Limited Vision of Job
 - Limits Voter Choice

Size of City Council

- 3 to 15 members in CM Cities
- 3 to 50 members in MC Cities
- **Advantage of Larger Councils**
 - Fewer citizens per council member
 - Potential for greater diversity on council
- **Disadvantage of Larger Councils**
 - Unwieldy/Formal Procedures
 - Harder to pinpoint responsibility

Length of Term

- **Four-Year Terms in large majority of CM and MC Cities**
- **Advantages of Four-Year Term**
 - Focus on long term/wider range of interests
 - Reduces Campaign Expenses
 - Reduces Time Campaigning
- **Disadvantage of Four-Year Term**
 - Longer wait to challenge unpopular official
 - Longer period for citizen to commit to serve

City Council Compensation

- **Three Types of City Council**
 - Volunteer (15% of cities; more likely in CM)
 - Average pay in CM cities: \$7,500
 - Average pay in MC cities: \$12,566
 - Part-time
 - Average pay in CM cities: \$7,500
 - Average pay in MC cities: \$12,566
 - Full-time
 - More likely in large cities (over 200,000)
 - Average Pay in large CM cities: \$23,335
 - Average Pay in large MC cities: \$39,061

Advantages of Full-Time Councils

1. Independence from mayor and manager
2. Focus on Council duties rather than private careers
3. Attract Politically Ambitious Citizens

Advantages of Part-Time Councils

- Less Expensive to Fund
- Attract Successful Private Sector Leaders
- Less Politically Ambitious Citizens
- Focus on Mission and Policy

Final Comments on Form

- **Option 1 No Change**
- **Option 2 Revise Mayor's Powers**
 - Veto and Appointment/Removal of City Manager
 - Raleigh, NC and San Jose, CA
- **Option 3 Change the Form**
 - Mayor appoints CAO (with or without council)
 - Defining CAO's Position in Charter?
 - Council President Replaces Mayor on Council
 - Albuquerque, NM and Philadelphia, PA

May Forum to Examine Council Representation in Cincinnati

CCR's May general membership meeting, set for Saturday, May 25, will delve into the decades-old debate over how the citizens of Cincinnati elect their legislative body. The current system, whereby all city residents vote for nine candidates to fill the nine council seats, was put in place back in 1957, replacing the proportionate representation method that was put in place in the 20's. Over the years, the current system has been criticized for not insuring equitable representation from the city's neighborhoods and minority groups. The meeting on the 25th will feature former council candidate Don Driehaus, Jr. arguing in favor of district representation, former NAACP executive director Art Slater and former council member Tyrone Yates in favor of proportionate representation at large seats, and Charter Committee executive director Jeff Cramerding discussing the advantages of the current "9X" system. After the forum, members of the audience will be asked to break into small groups and map out districts under a variety of scenarios. *The meeting, to be held in the Conference Ctr. on the 5th floor of the Rookwood Tower (3805 Edwards), will start at 10 and will conclude at noon. A light breakfast will be provided.*

The table to the right identifies the 60 largest cities in the nation (Cincinnati is number 53), and the method of electing their city councils. Of these cities, only seven have councils that are elected entirely at large. The other 53 either have districts only or a combination of districts and at large positions. Many of these cities switched to at large elections in the early part of the 20th century, but are going back to a representational system. The most recent city to make the change is Mesa, Arizona, which went from six at large city council seats to six districts in 1998. There is a wide range in the ratio of city residents to council member, from almost 250,000 in Los Angeles to about 12,000 in St. Louis. The average for these 60 cities is about 51,000, which places Cincinnati, with about 37,000 residents per council member, below average. The structure of the city council also varies. Of the 60 largest American cities, 26 have a mayor-council form, 33 have a council-manager form, and one—Portland—has a commission where each of the council members are the administrative heads of various municipal departments.



City	2000 population	council members	method of election	government structure
New York	8008278	51	51 districts	mayor-council
Los Angeles	3694820	15	15 districts	mayor-council
Chicago	2896016	50	50 wards	mayor-council
Houston	1953631	14	9 dist, 5 at large	mayor-council
Philadelphia	1517550	17	10 dist, 7 at large	mayor-council
Phoenix	1321045	8	8 districts	mayor-council
San Diego	1223400	8	8 districts	council-manager
Dallas	1188580	14	14 districts	council-manager
San Antonio	1144646	10	10 districts	council-manager
Detroit	951270	9	all at large	mayor-council
San Jose	894943	10	10 districts	council-manager
Indianapolis	791926	29	25 dist, 4 at large	mayor-council
San Francisco	776733	11	11 districts	mayor-council
Jacksonville	735617	19	14 dist, 5 at large	mayor-council
Columbus	711470	7	all at large	mayor-council
Austin	656562	6	all at large	council-manager
Baltimore	651154	18	6 districts*	mayor-council
Memphis	650100	13	9 districts**	mayor-council
Milwaukee	596974	17	17 districts	mayor-council
Boston	589141	13	9 dist, 4 at large	mayor-council
Washington	572059	13	8 wards, 5 at large	mayor-council
Nashville	569891	41	35 dist, 6 at large	mayor-council
El Paso	563662	8	8 districts	mayor-council
Seattle	563374	9	all at large	mayor-council
Denver	554636	13	11 dist, 2 at large	mayor-council
Charlotte	540828	11	7 dist, 4 at large	council-manager
Fort Worth	534694	8	8 districts	council-manager
Portland	529121	4	all at large	commission
Oklahoma City	506132	8	8 wards	council-manager
Tucson	486699	6	6 wards	council-manager
New Orleans	484674	7	5 dist, 2 at large	mayor-council
Las Vegas	478434	6	6 wards	council-manager
Cleveland	478403	21	21 wards	mayor-council
Long Beach	461522	9	9 districts	council-manager
Albuquerque	448607	9	9 districts	mayor-council
Kansas City	441545	12	6 districts***	council-manager
Fresno	427652	7	7 districts	council-manager
Virginia Beach	425257	10	7 dist, 3 at large	council-manager
Atlanta	416474	15	12 dist, 3 at large	mayor-council
Sacramento	407018	8	8 districts	council-manager
Oakland	399484	8	7 dist, 1 at large	council-manager
Mesa	396375	6	6 districts	council-manager
Tucson	393049	9	9 districts	mayor-council
Omaha	390007	7	7 districts	mayor-council
Winnipeg	382618	13	13 wards	mayor-council
Miami	362470	5	5 districts	council-manager
Colorado Springs	360890	8	4 dist, 4 at large	council-manager
St. Louis	348189	28	28 wards	mayor-council
Wichita	344284	6	6 districts	council-manager
Santa Ana	337977	6	6 districts	council-manager
San Diego	334563	9	9 districts	mayor-council
Arlington	332969	8	5 dist, 3 at large	council-manager
Cincinnati	331285	9	all at large	council-manager
Anaheim	328014	4	all at large	council-manager
Toledo	313619	12	6 dist, 6 at large	mayor-council
Tampa	303447	7	4 dist, 3 at large	mayor-council
Buffalo	292648	13	9 dist, 4 at large	mayor-council
St. Paul	287151	7	7 wards	mayor-council
Corpus Christi	277454	8	5 dist, 3 at large	council-manager
Aurora	276393	10	6 wrds, 4 at large	council-manager

* Each of Baltimore's six districts elect three members each.

** Two of Memphis' nine districts are super-districts that elect three members each.

*** Each of Kansas City's six districts elect two members each.

Article III

MAYOR

Section 1. A mayor shall be elected for a term of four years, commencing on the first day of December next after his or her election. Upon taking the oath of office, the mayor shall serve until a successor is duly elected and qualified. The mayor shall receive annual compensation in an amount equal to twice the compensation payable to a member of council as provided in Article II, Section 4. Such compensation shall be payable semi-monthly.

(Amended by Ord. No. 418-1985, eff. Sept. 5, 1985; election of Nov. 5, 1985; a. Ord. No. 348-1987, eff. Oct. 1, 1987; election of Nov. 3, 1987; amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

Section 2. It shall be the duty of the ~~city manager~~ mayor to act as chief conservator of the peace within the city; to supervise the administration of the affairs of the city with the assistance of the chief administrative officer except as otherwise specifically provided in this charter; to see that the ordinances of the city and the laws of the state are enforced; to make all appointments and removals in the administrative and executive service except as otherwise provided in this charter; to make such recommendation ~~to the mayor and to the council~~ concerning the affairs of the city as may to him or her seem desirable; to keep the mayor public and the council advised of the financial condition and future needs of the city; to prepare and submit to the mayor council the annual budget estimate ~~for the mayor's review and comment prior to its submission to the council~~; to prepare and submit to the mayor and to the council such reports as may be required by each and to perform such other duties as may be

prescribed by this charter or required of him or her by ordinance ~~or resolution of the council.~~

The ~~city manager~~ mayor shall have the powers conferred by law upon boards of control. Except as otherwise provided in this charter, all other executive and administrative powers conferred by the laws of the state upon any municipal official shall be exercised by the ~~city manager~~ mayor or persons designated by him or her.

(Amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

~~The mayor shall preside over all meetings of the council but shall not have a vote on the council.~~ The mayor may call a special meeting of the council. The mayor shall exercise the veto power as provided in Article II. ~~The mayor shall appoint and may remove the vice mayor and the chair of all committees of the council without the advice and consent of the council. The mayor shall assign all legislative matters to the appropriate committee for consideration. The mayor may propose and introduce legislation for council consideration.~~

The mayor shall be recognized as the official head and representative of the city for all purposes, except as provided otherwise in this charter.

~~The mayor shall appoint the city manager upon an affirmative vote of five members of the council following the mayor's recommendation for appointment. Prior to the vote, the mayor shall seek the advice of council, to include the opportunity for council to interview the candidates considered by the mayor. Should the council not approve the recommendation of the mayor, the mayor may submit another recommendation or institute a new search. The mayor, with the advice of council, shall~~

~~have the authority to initiate and recommend to the council the removal of the city manager, provided that such removal shall require an affirmative vote of five members of the council. A temporary appointment to the position of city manager that may be required by reason of a vacancy in the office shall be submitted by the mayor to the council for its approval prior to the appointment. The mayor shall appoint a chief administrative officer, who may be removed by the mayor at any time, with or without cause.~~

The mayor shall deliver an annual address to the council and citizens of the city reporting on the state of the city and making recommendations for the establishment and achievement of future city goals.

The mayor shall transmit to the council the annual budget estimate. ~~prepared by the city manager. The transmittal shall occur within 15 days after receipt from the city manager and may include a letter commenting on the proposed budget.~~

The mayor shall perform such other duties as may be prescribed by this charter or as may be imposed by council ordinance, consistent with the office. The mayor shall be recognized as the official head of the city for all ceremonial purposes, by the courts for the purpose of serving civil process, and by the governor for military purposes.

In time of public danger or emergency, the mayor may, with the consent of the council, take command of the police, maintain order and enforce the law.

The mayor shall appoint his or her assistants in the unclassified service and shall fix their salaries. Such assistants shall serve at the pleasure of the mayor and shall constitute the mayoral service. The mayor shall make such other appointments allowed

by this charter, ordinance or state law. All other appointments to be made by the mayor shall be made with the advice and consent of the council except as otherwise provided in this charter. (Amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

Section 3. ~~At the first meeting of the council after its election, the mayor shall select a vice mayor from among the members of the council to serve for the two-year term of the council, subject to removal by the mayor. The vice mayor~~ chief administrative officer shall have the powers and perform the duties of the mayor during the mayor's absence or disability. ~~When presiding at council, the vice mayor shall vote on legislative matters coming before the council and perform the ministerial duties relating to legislation passed, but shall not exercise the mayor's power of veto, appointment or removal. No additional compensation shall attach to the office of vice mayor.~~

On the date of taking office, the mayor shall designate in writing, provided to the clerk of council, a first mayoral successor and a second mayoral successor chosen from among the members of council. The mayor may revoke and make new designations in writing delivered to the clerk of council at any time. In the event of the death, removal or resignation of the mayor, the vice mayor first mayoral successor shall succeed to the office of mayor in accordance with this section. The second mayoral successor shall succeed to the office of mayor if the first mayoral successor declines or is unable to serve. The vice mayor's vacancy Any resulting vacancy on council shall be filled in accordance with Article II, Section 4a of this charter and a new vice mayor mayoral successor shall be selected designated by the new mayor from the members of the council.

Should the death, removal or resignation of the mayor occur prior to June 1 of a year in which a regular election for the choice of members of the council will be held, but not a regular election for mayor, the ~~vice-mayor~~ successor shall hold the office of mayor until December 1 of that year and until a new successor mayor is elected and qualified to fill the unexpired term. An election to fill the unexpired term of mayor will be held on the date of the regular municipal election for the choice of members of the council. Nominations and election of the mayor to the unexpired term shall be governed by the provisions of Article IX of the charter for the election of the mayor.

Should the death, removal or resignation of the mayor occur on or after June 1 of the year in which a regular municipal election for the choice of members to the council will be held, but not a regular election for the office of mayor, the ~~vice-mayor~~ mayor's successor shall ~~succeed to the office of mayor~~ serve for the remainder of the unexpired term of the mayor. (Amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

Section 4. If the language of Article III, Section 1, as amended, "~~This provision shall apply commencing with the selection of the mayor at the first meeting of December, 1987, by use of the results of the regular municipal election conducted in November, 1987,~~" is held to be unconstitutional or otherwise illegal, then charter provisions applicable to the selection of mayor before passage of this amendment shall be applicable to the selection of the mayor on December 1, 1987. (Added by Ord. No. 848-1987, eff. Oct. 1, 1987; election of Nov. 3, 1987)

Section 5 4. If any provision of Article III, as amended, be held to be unconstitutional

or in violation of state law, this shall not affect the validity, force or effect of any other provision. (Added by Ord. No. 348-1987, eff. Oct. 1, 1987; election of Nov. 3, 1987)

Article IV.

EXECUTIVE AND ADMINISTRATIVE SERVICE

City Manager^{*} Chief Administrative Officer

Section 1. The mayor, as provided in Article III of this charter, shall point a city manager chief administrative officer, ~~who shall be the chief executive and administrative officer of the city.~~ The city manager chief administrative officer shall be appointed solely on the basis of his or her executive and administrative qualifications and need not, when appointed, be a resident of the city of state. ~~Neither the mayor nor a~~ A member of council shall not be appointed as city manager chief administrative officer. The city manager chief administrative officer shall be appointed for an indefinite term, as hereinafter provided. The city manager chief administrative officer shall be removable at any time at the pleasure of the mayor. ~~and the council as provided in Article III. If removed at any time after the city manager has served six months, he or she may demand written charges and the right to be heard thereon at a public meeting of the council prior to the date on which his or her final removal shall take effect, but pending and during such hearing, the mayor, subject to the approval of council, may suspend him or her from office. The action of the mayor and the council in suspending~~

^{*} This heading does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.

or removing the ~~city manager~~ chief administrative officer shall be final, it being the intention of this charter to vest all authority and fix all responsibility for any such suspension or removal in the mayor. ~~and the council.~~ The chief administrative officer shall assist the mayor in the management of the city and its administrative service and shall perform such duties assigned or delegated by the mayor.

The ~~council~~ mayor may authorize the designation of some other officer of the city to perform the duties of the ~~city manager~~ chief administrative officer during the ~~city manager's~~ chief administrative officer's absence or disability. The ~~city manager~~ chief administrative officer shall receive such compensation and related benefits as are determined by the council. (Amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

Section 2. The ~~city manager~~ chief administrative officer shall report to the mayor. ~~and the council.~~ Neither the mayor the council nor any of its committees or members shall interfere in any way with the appointment or removal of any of the officers and employees in the administrative service. Except for the purpose of inquiry, ~~the mayor~~ the council and its members shall deal with that part of the administrative service for which the ~~city manager~~ mayor and/or the chief administrative officer is responsible, solely through the ~~city manager~~ mayor. (Amended by Ord. No. 77-1999, eff. Dec. 1, 2001; election of May 4, 1999)

Section 3.

Section 4 3 The ~~city manager~~ mayor, chief administrative officer, and such other officers of the city as may be designated by vote of the council, shall be entitled to seats in the council. None of said officials shall

have a vote in the council but the ~~city manager~~ mayor and chief administrative officer shall have the right to discuss any matter coming before the council and the other officers shall be entitled to discuss any matter before the council relating to their respective departments and offices.

City Solicitor[†]

Section 5. The ~~city manager~~ mayor shall appoint a city solicitor. No person shall be eligible to the office who is not an attorney at law, duly admitted to practice in this state. He shall serve the council, officers and boards of the city as legal counsel and attorney, and shall represent the city as legal counsel and attorney, and shall represent the city in all proceedings in court. He shall act as prosecuting attorney in the municipal court. He shall perform all other duties now or hereafter imposed upon city solicitors by the laws of the state, unless otherwise provided by ordinance of the council, and such other duties as the council may impose upon him consistent with his office. The solicitor shall appoint his assistants and fix their salaries, but the maximum number of assistants and the total amounts of the assistants' salaries shall be fixed by council. The assistants shall hold their offices at the pleasure of the solicitor.

Director of Finance[†]

[†] This heading does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.

[‡] This heading does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.

Section 6. The council shall have power by majority vote, to create a department of finance and to authorize the ~~city manager~~ mayor to appoint a director of finance and such subordinates, including a city treasurer, from time to time, as he sees fit. The council shall prescribe the qualifications and duties of the director of finance and may provide for the administrative organization of the department. The council may transfer to the director of finance or one or more of his subordinates any duties previously performed by the city treasurer or the city auditor, as well as any other powers that it may see fit. The council shall also have power to appoint, from time to time, an auditor or auditors to examine the records and accounts of the city or any of its officers, departments, boards or commissions and report the findings to the council. The director of finance shall be the chief fiscal officer of the city. (Ordinance No. 301-1950, passed by the city council on September 6, 1950, abolished the existing offices of city auditor and city treasurer, established a department of finance, authorized appointment of a director of finance and subordinates.)

Director of Public Utilities[§]

Section 7. The ~~city manager~~ mayor shall appoint a director of public utilities. Except as otherwise provided by ordinance of the council, the director shall succeed to the powers and duties of the director of street railroads and the director of motor buses, and shall exercise the administrative powers of the city in relation to public utilities, except the Cincinnati water works, the Cincinnati Southern Railway, and any other

[§] This heading does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.

municipally owned or operated utilities. The council shall refer to the ~~city manager~~ mayor all applications and matters of proposed grants and renewals of grants for any public utility within the city. The ~~city manager~~ mayor shall cause the director of public utilities promptly to investigate the same and the ~~city manager~~ mayor shall report in writing to the council his advice and recommendations. The director shall perform such other duties as may be imposed upon him by the ~~council~~ ordinance or the ~~city manager~~ mayor.

*Superintendent of Water Works^{**}*

Section 9. The ~~city manager~~ mayor shall appoint the superintendent of water works, who shall have charge of the administration of the Cincinnati water works. A sufficient charge shall be made for the supply of water, or any other public utility service operated by the city, to pay the expenses of such water works or other utility, the interest, sinking fund and retirement charges on bonds issued for such water works or other public utility, and for such improvements to said water works or other public utility as council may determine should be paid for without the issue of bonds. The city shall have the power to sell water outside of the city limits and outside of the state at such price as the council may determine. Revenue derived from the water works by the city shall be used for the purposes of said water works, and for no other purpose, and shall not be subject to transfer to any other fund.

Removal of Officials^{††}

^{**} This heading does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.

Section 10. The city solicitor, director of finance, director of public utilities, and superintendent of the water works shall be subject to removal by the ~~city manager~~ mayor.

¹¹ This heading ~~does not constitute part of the ext of the charter of the city of Cincinnati. It was added solely for convenience in identifying subject matter in the January, 1969 republication of the charter by the clerk of council.~~

ELECTORAL REFORM COMMISSION
-MINORITY REPORT-
March 8, 2004

Mr. Mayor and Members of Council,

- 1.) The members of the Electoral Reform Commission who voted in opposition to a nine-district election system and those members who voted in opposition to the executive mayor proposal offer the following Minority Report for your consideration.
- 2.) It is the position of the Minority Collective that no change in the method of Council elections is advisable at this time. Data gathered during the Electoral Reform Commission's public hearings suggest that minority representation on City Council is a driving force behind the perceived need for a district election system. In addition, it is argued by those in favor of districts that Council members will be more accountable, and therefore more responsive, to the neighborhoods within their respective districts. Evidence collected by the Electoral Reform Commission does not support these claims.
- 3.) The most recent Council election has shown that equitable African American representation on Council can be achieved under our current at-large system. In fact, professional polling results indicate that 61% of those polled feel that City Council fairly represents them and their neighbors, 70% feel that City Council is responsive to issues that concern the city, and 53% feel that the current method of Council elections is serving the city well and should be kept as it is. Currently, three African American Council members reside in the same neighborhood (with a fourth living in an adjacent neighborhood that was included within the same district in all district map proposals considered by this commission); a result that would not have been possible under a district system.
- 4.) It is the opinion of the Minority Collective that a district election system would likely serve to pit neighborhood against neighborhood at the expense of issues facing the entire city, and create and/or exacerbate tensions between and among majority and minority groups.
- 5.) Although we recommend no change in the method of Council elections at this time, it is the opinion of the Minority Collective that a proportional representation election system would be far superior to a district-based system. Such a system would ensure that all minority groups gain representation on Council without the attendant horse-trading and neighborhood competition likely under a district-based election system.
- 6.) The Minority Collective opposes the executive mayor proposal. Professional city management provides a barrier to the corruption and politicizing tendencies that surge when one person holds authority over city operations, and ensures that qualified personnel oversee daily city operations without unnecessary political interference. Failures of city management may be attributable to incompetent professional management; a concern that can be corrected through replacement of personnel. In addition, city management can be enhanced if Council fulfills its obligations as a board of directors establishing policy and avoids micro-management of the City Manager's office; likely freeing professional management resources to focus on the city's day-to-day operations. Poll results indicate that 59% oppose eliminating the City Manager position.

Thank you for your consideration. Any portion of this Minority Report will be supplemented at your request.

Art Slater (1-6)

Christopher Bortz (1-6)

Marilyn Ormsbee (1-6)